



AGENDA
BEDFORD COUNTY PLANNING COMMISSION

County Administration Board Room
122 E. Main Street, Bedford, VA
Tuesday, February 21, 2017
Regular meeting 7:00 pm

Regular Meeting

1. Approval of Agenda
2. Approval of Minutes
3. Citizen Comment Period
4. Public Hearing

a) Special Use Permit SU1700002

Blue Ridge Towers, Inc.
Wireless Communication Facility

5. Old Business
6. New Business
7. Adjourn

**PLANNING
COMMISSION
MINUTES**

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Bedford County Planning Commission Minutes January 17, 2017

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4 The Planning Commission held a regular meeting on Tuesday, January 17, 2017 in the
5 Bedford County Administration Building Boardroom with all Planning Commissioners
6 present. County staff present was Mr. Patrick Skelley, County Attorney, Mr. Gregg
7 Zody, Director of Community Development, Mr. Jordan Mitchell, Mrs. Mariel Fowler,
8 Planners and Mrs. Patricia Robinson, Planning/ Zoning Technician.

9
10 Mr. Brown called the Planning Commission to order and determined there was a quorum
11 present for conducting business. Mr. Brown asked if there were any changes to the
12 agenda. Mr. Zody requested two changes. He requested to move item 2 Approval of
13 Minutes after the public hearing. Secondly he requested to add an item under New
14 Business. The items regarded the appointment of Steering Committee member for the
15 Forest area. Mr. Burdett made a motion to accept the amendments to the agenda. Mr.
16 Tillett seconded the motion. The motion carried with a vote of 7-0.

17
18 Mr. Brown asked if there were any citizens to speak during the Citizen's Comment
19 Period. There being none Mr. Brown closed the citizen comment period.

20
21 Mr. Brown moved to the item 3a, opened the public hearing for Rezoning Application
22 RZ170002 and asked for the staff presentation. Mrs. Fowler stated The Broadway Group
23 is requesting to rezone a 1.55 acre split-zoned parcel from AP (Agricultural/Rural
24 Preserve) and AR (Agricultural/Residential Districts) to AV (Agricultural Village Center
25 District). The subject parcel identified as TM 179-19-9 is located at the intersection of
26 Rt. 748 Lipscomb Road and Rt. 24 Stewartsville Road across the street from the entrance
27 to Staunton River Middle and High Schools. The subject parcel is in Election District 2.
28 The property owner is Wayne L. Basham, 1144 Meadows Spur Road, Moneta, VA
29 24121. The applicant and authorized agent/contact is Kelly Walker of The Broadway
30 Group, 216 Westside Square, Huntsville, AL 35801. The rezoning request is for the
31 construction of a 9,100 SF building and associated parking. The proposed building will
32 be approximately 18 feet in height. The applicant is proposing to utilize the building for
33 a "retail sales" use. Mrs. Fowler noted the Future Land Use map identifies the subject
34 parcel as Agricultural /Natural Resource Stewardship. The subject property is currently
35 undeveloped. Adjacent properties to the immediate southwest and east are also
36 undeveloped. The adjacent property located on the west side of Lipscomb Road contains
37 a veterinary hospital/clinic use; and to the west of that property are several single family
38 dwellings. On the north side of Rt. 24 are Staunton River Middle and High Schools
39 ("Education Facility, Primary/Secondary" uses. Properties in the nearby area are zoned
40 AP, AR, split-zoned AP/AR, and NC (Neighborhood Commercial District). The
41 applicant submitted voluntary proffers which were found to be in compliance with Sec.
42 20-15 (C) of the Bedford County Zoning Ordinance. Staff has determined the request
43 does not meet the intent of the AV district, and it is not consistent with future land use
44 designation. Given the surrounding zoning, existing uses and character of the area,
45 approval of this application would be considered spot zoning.

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47 Comments/questions from the Commission covered the following: (a) are public water
48 or sewer available to this parcel, if not is it to be available in the future. Mrs. Fowler
49 stated currently the parcel is not served by the Bedford Regional Water Authority nor is
50 this area in their future plans for service.

51

52 Mr. Brown asked for the applicant's presentation. Kelli Walker of The Broadway Group
53 reviewed the hard copy presentation she provided to the Commissioners. The
54 presentation included a concept plan with a proposed turn lane to be installed for the
55 proposed retail sales store. Photographs represented (a) the parcel with an overlay of the
56 proposed retail sales store and parking, (b) views of Rt. 24 heading east and west, (c)
57 location of the entrance onto Rt. 748 Lipscomb Road, (d) location of the veterinary clinic,
58 (e) location of Golden Eagle Drive (entrance to Staunton River Middle and High
59 Schools) and (f) location of the site itself. Ms. Walker noted the building will conform to
60 all zoning regulations and building codes. The building will meet design building
61 requirement with the exterior designed with adequate lighting for vehicle and pedestrian
62 access and safety, but not to pollute adjoining property neighbors. The proposed building
63 will meet all required setbacks and landscaping buffer requirements to include privacy
64 fencing on all sides bordering residential. The signage will comply with design
65 standards. Ms. Walker noted the two schools and the veterinary clinic illustrate there are
66 adjacent non-agriculture uses in the area. She stated traffic concerns have been mitigated
67 by VDOT's requirement of an Access Management Exception Request that was approved
68 based on the condition that we restripe the gore area for a left turn lane which we have
69 agreed to do. The current zoning of the property does allow for a general store by right.
70 The definition for a general store calls for no more than 2,000 SF of gross floor area.
71 Being our store will exceed the 2,000 SF gross floor area, we are requesting the rezoning.
72 Ms. Walker noted they have received the required well and septic permits. The proposed
73 retailer is one of the fastest growing retailers in America, will create 10 new jobs and is
74 capable of generating significant tax revenues helping to improve the community. This
75 business will create convenience and deliver an easier shopping solution accessible to the
76 community. Ms. Walker provided a summary of the types of items to be sold in the retail
77 store.

78

79 Comments/questions from the Commission covered the following: (a) none of the
80 adjacent parcels are zoned AV, (b) how is this not spot zoning or leap-frog development,
81 (c) did you look at any sites in already zoned AV district at Rt. 24 & Rt. 122, (d) are the
82 goods and services to be provided essential to the rural community in which proposed, (e)
83 what is the name of the business, is this a secret, (f) several stores fairly the same size as
84 the one proposed are located within 9-13 minutes of this site, (g) would like to know the
85 name of the business, (h) what type of lighting will be used, how many poles, will they
86 use eco friendly lighting, (h) what will be the hours of operation, (i) odd to make a
87 decision on something we don't know what we are deciding on, (j) with the site being
88 located directly across from schools will cigarettes and/or alcohol be sold, (k) is this
89 request solely in the interest of the landowner and (l) what is the projected revenue to the
90 county.

91

92 Mrs. Walker responded the goods and services are everyday household items to be
93 provided to residents in the area. Ms. Walker stated she was not involved in the planning

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94 stage in the selection of the property; although there are reasons a particular property is
95 selected. Their tenant believes this site works best for the community. Ms. Walker stated
96 she could not release the name of the proposed business. Their tenant required her to
97 sign a confidentially agreement and that they do not want her to disclose the name of the
98 business. She stated they don't want the name released for competition reasons not to
99 keep it a secret and not tell you the name. Wall packs will be installed on the building for
100 lighting. The wall packs can be shielded so the light will shine down and not outward.
101 The hours of operation will be 8-8 or 8-9. The tenant knows they are located across from
102 a school when they apply for any kind of alcohol permitting. She stated she could not
103 confirm at this time if these products would be sold. Ms. Walker said this request is not
104 solely in the interest of the landowner but in the interest of the community. She state
105 gross sales for the store is estimated at two million dollars.

106
107 Mr. Brown asked if there were any citizens to speak regarding the application. Mr.
108 Richard Downey 106 Duma Circle Goodview, VA spoke in favor of the application
109 citing the need for more tax revenue. Commercial revenue is needed to supplement the
110 tax base for numerous projects county wide. Currently the real estate revenues are a large
111 portion of the county tax base. He noted there are already other commercial businesses in
112 the area and the store will provide convenience to the citizens in the area. Anna Mullins
113 1092 Ransome Lane, Drema Herndon 1092 Lipscomb Road and Glenn Robinson 1315
114 Lipscomb Road all of Moneta, VA spoke in opposition to the application. The concerns
115 raised were: (a) additional traffic at an already congested area, (b) already zoned AV
116 parcels are available and better suited for such a store and bring in the same tax base to
117 the county, (c) traffic is stopped daily by a deputy to allow buses on and off Rt. 24, (d) it
118 is not an inconvenience to travel 6-9 miles to a store, (e) the store is not needed, (f)
119 lighting will affect the closest residential home, (f) would you want this in your back
120 yard, (g) speed on this section of Rt. 24 is 55mph, (h) delivery of good delivered in 18
121 wheelers, (i) safety of students that may attempt to cross Rt. 24 if the store is built, (j)
122 within a combined span of 19 miles around the property there are 9 other convenience
123 store, two of which are Dollar General stores, (k) based on the zoning ordinance this
124 request would be spot-zoning as well as not being in line with the Future Land Use map,
125 (l) developer removed the private restriction previously recorded in 2001 that "All lots
126 shall be used for residential purposes only" for the subject parcel only, and (m) if rezoned
127 and this store fails the door is opened for more intense AV uses.

128
129 Mr. Brown asked Ms. Walker if she would like to offer any rebuttal. Ms. Walker stated
130 she understood the concerns of the citizens. Traffic issues will be addressed by VDOT
131 for site distance. The turn lane required by VDOT will mitigate the traffic issues. Our
132 peak hours are in the afternoon when people are leaving work when school is already out.
133 This is not a destination store rather a store people will stop by for convenience as driving
134 by. In addition to getting a permit for our driveway and a Land Use Permit from VDOT
135 they required us to apply for an Access Management Exception Request which was
136 something extra. Lighting will be on the front of the building. The lights will not be
137 shining on the back of the building. Our tenant believes this store will bring a
138 convenience to the surrounding area and will bring in additional taxes to the county.
139 According to the county we could not move forward with our request until the private
140 restrictions were lifted. We are trying to be neighborly, provide goods and convenience.

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141 Within an hour of the store closing the lights will be turned off. Ali Tucker, attorney for
142 The Broadway Group addressed the issue of spot zoning. She noted illegal spot zoning
143 only happens when you are doing this to serve exclusively the private interest of the
144 landowner. This is to benefit the public, add revenue and convenience. The Future Land
145 Use map (FLUM) is not supposed to be strictly applied. The plan states it is a broad
146 brush visual representation of the best understanding of the goals of the citizens. I don't
147 think the FLUM should be the end all, be all of whether or not you will rezone the
148 property. Additionally, the FLUM has the property is zoned Agricultural/Natural
149 Resource Stewardship. The parcel can't support an agricultural use and most people
150 would not want to live across from a school. Residential/agricultural use may not be the
151 best use of this parcel and it does not have any unique land characteristics. The FLUM
152 designation of Agricultural/Natural Resource Stewardship seems like an improper
153 designation. We feel the AV zoning designation better suits this parcel.

154

155 Additional questions from the Commissioners covered: (a) would delivery of goods take
156 place during peak travel times or when, (b) concept plan does not include a deceleration
157 lane heading east on Rt. 24 but there is one heading west and (c) was this part of the
158 exception request from VDOT

159

160 Ms. Walker noted the when the site plan is done truck runs are conducted. She stated
161 VDOT will review the truck runs conducted. Ms. Walker could not address when trucks
162 would be making deliveries. She noted VDOT did not mention a deceleration lane
163 heading east.

164

165 Mr. Burdett requested prior to the public hearing being closed the record reflect that all
166 Commissioners received a number of emails relating to this application. He noted he
167 received 1 email in favor of the application from Amherst Forty-Six LLC. There were 7
168 emails opposed. They were from Mac Duis of the Bedford County Schools, Patsy
169 Sutherland, Paul Sutherland, Dwight Mullins, Donna Fizer, Debbie Simmons and Glenn
170 Robinson. The emails sum up the thoughts addressed by the speakers tonight whether in
171 favor or opposed to the application. Mr. Mays stated he received an email from Jeff
172 Pendleton in opposition to the application.

173

174 There being no additional speakers Mr. Brown closed the public hearing for Rezoning
175 Application RZ170002 and asked for discussion and or action by the Commission. A
176 discussion was held with Commissioners comments covering the following: (a) traffic
177 issues are a VDOT matter, (b) left turn lane will help, (c) concerned with truck traffic and
178 no deceleration lane heading east, (d) businesses bring tax revenue, (e) does not meet the
179 requirements of the AV district, (f) don't see a sense of community resulting from this
180 rezoning, (g) no contiguous AV properties on either side of proposed site, private
181 restrictions are not enforced by the county, (h) Apple Market was developed as a Special
182 Use with conditions under LUGS, (i) rezoning cannot be conditioned, (j) request is not in
183 line with the Comprehensive Plan, (k) not fond of the proximity to the schools, (l) turning
184 on and off R. 24 at this location is bad (m) proposed location not a good fit, (n) cannot
185 vote for this when the owner will not release the name of the store, (o) have more
186 concerns than likes, (p) the AV district looks for essential not convenience and (q) AV

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187 district 4 miles away – not sure if this location was explored or not. There being no
188 additional discuss Mr. Brown called for a motion.

189

190 Mr. Burdett made a motion to recommend to the Board of Supervisors denial of
191 Rezoning Application RZ170002 as it is not in compliance with the
192 Comprehensive Plan or the Future Land Use map. Mr. Huff seconded the motion.
193 A roll call vote was taken. The motion passed with a vote of 6-1. Mr. Tillett cast
194 the dissenting vote.

195

196 Mr. Brown moved to item 4a Approval of Minutes asked if there were any changes to the
197 minutes of November 15, 2016. Mr. Burdett made a motion to approve the minutes as
198 presented. Mr. Tillett seconded the motion. The motion carried with a vote of 7-0. Mr.
199 Brown asked if there were any changes to the minutes of December 6, 2016. Mr. Burdett
200 requested a change to page 3 line 111 regarding a second on a motion. Mr. Burdett made
201 a motion to approve the minutes of December 6, 2016 as amended. Mr. May seconded
202 the motion. The motion carried with a vote of 7-0.

203

204 Mr. Brown moved to item 5 Old Business. There was no Old Business.

205

206 Mr. Brown moved to item 6 New Business and asked Mr. Zody to address the issue
207 regarding the steering committee. Mr. Zody noted an appointment of a Commissioner to
208 serve on this committee is needed. The consultants will review our existing ordinances
209 and look at the Forest area for an Urban Development Area. A requirement of this is that
210 1 member of both the Planning Commission and the Board of Supervisors serve on the
211 committee. Participation will require attendance at 2-3 meetings and 1 web meeting. Mr.
212 Dawson nominated Mr. Woodford to serve on the steering committee. Mr. Burdett
213 seconded the motion. Mr. Tillett asked for discussion. Mr. Tillett stated he is the
214 Commissioner for District 4 and that he is interested in serving on the committee. The
215 question was asked if there could be co-participants. Mr. Zody stated in addition to a
216 Planning Commissioner to serve he will need approximately 8 citizens to serve on the
217 committee. Mr. Burdett made a motion to nominate the District 4 Commissioner, Mr.
218 Tillett. Mr. Dawson seconded the motion.

219

220 Mr. Brown called for a motion to close the nominations. Mr. Burdett made a motion to
221 close the nominations. Mr. Tillett seconded the motion. A voice vote was taken. The
222 motion passed with a vote of 7-0. Mr. Brown took a voice vote of those in favor of Mr.
223 Tillett to serve on the committee. The vote was 7-0. Mr. Brown took a voice vote of
224 those in favor of Mr. Woodford. The motion failed with a vote of 0-7.

225

226 There being no additional business Mr. Burdett made a motion to adjourn. Mr. Tillett
227 seconded the motion. The motion carried with a vote of 7-0. The meeting was adjourned
228 at 8:21 pm.

229

230 Respectfully submitted,

231

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234 Gregg Zody, Secretary

235

236 Approved by:

237

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239

240 _____
Harold Brown, Chairman

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BEDFORD COUNTY PLANNING COMMISSION MINUTES

February 7, 2017

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4 The Planning Commission held a regular meeting Tuesday, February 7, 2017 in the Bedford
5 County Administration Building Boardroom. All Commissioners were present with the
6 exception of Mr. Burdett. County staff present was Mr. Skelley, County Attorney, Mr. Zody,
7 Director of Community Development and Mrs. Robinson, Planning/Zoning Technician.

8
9 Mr. Skelley as parliamentarian of the Planning Commission called the meeting to order and
10 determined a quorum was present to conduct business. Mr. Skelley called for nominations for
11 Chairman of the Commission.

12
13 Mr. Dawson nominated Mr. Tillett for Chairman. Mr. Brown seconded the motion. There being
14 no additional nominations or discussion the nominations were closed. A voice vote was taken.
15 Mr. Tillett was elected Chairman with a vote of 6-0.

16
17 Mr. Skelley turned the meeting over to Mr. Tillett. Mr. Tillett called for nominations for Vice
18 Chairman. Mr. Brown nominated Mr. Woodford for Vice Chairman. Mr. Dawson seconded the
19 motion. There being no additional nominations or discussion the nominations were closed. A
20 voice vote was taken. Mr. Woodford was elected Vice Chairman with a vote of 6-0.

21
22 Mr. Tillett called for nominations for Secretary. Mr. Dawson nominated Mr. Zody. Mr. Mays
23 seconded the motion. There being no additional nominations or discussion a voice vote was
24 taken. Mr. Zody was appointed as Secretary with a vote of 6-0.

25
26 Mr. Tillett asked for a motion regarding the 2017-2018 Meeting Schedule and Inclement
27 Weather resolution. Mr. Woodford noted he will not be present at the March 21st or June 20th
28 meetings. Mr. Skelley stated there are provisions for remote participation as an option. Mr.
29 Brown made a motion to adopt the resolution as presented. Mr. Mays seconded the motion. The
30 motion passed with a vote of 6-0.

31
32 Mr. Tillett asked for a motion regarding the 2016 Annual Report. Mr. Woodford made a motion
33 to approve the 2016 Annual Report as presented. Mr. Dawson seconded the motion. The motion
34 passed with a vote of 6-0.

35
36 Mr. Tillett moved to Item 2 Approval of Agenda and asked if there were any changes. Mr.
37 Brown stated he would have some comments under New Business. Mr. Woodford moved to
38 approve the agenda as amended. Mr. Dawson seconded the motion. The motion passed with a
39 vote of 6-0.

40
41 Mr. Tillett moved to Item 3 Citizen Comment Period and asked if there were any citizens to
42 speak. There being none Mr. Tillett closed the Citizen Comment Period.

43
44 Mr. Tillett moved to Item 4 Old Business. There was no Old Business.

45
46 Mr. Tillett moved to Item 5 New Business. Mr. Tillett yielded the floor to Mr. Brown. Mr.
47 Brown stated he would like to thank Mr. Zody, Mr. Skelley, Mrs. Robinson and his fellow

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48 Commissioners for their support during his tenure as Chairman of the Commission. Mr. Brown
49 specifically wanted to thank Mr. Burdett for his support. Mr. Brown noted he had called upon
50 Mr. Burdett several times.

51
52 Mr. Tillett thanked Mr. Brown for the excellent job he did as Chairman of the Commission.

53
54 Mr. Zody noted at the February 21, 2017 meeting the Planning Commission will have a Special
55 Use Permit public hearing for a Wireless Communication Facility. The proposed site is located
56 at Rt. 460 W. Lynchburg Salem Turnpike and Tower Road.

57
58 There being no additional business Mr. Brown made a motion to adjourn. Mr. Dawson seconded
59 the motion. The meeting was adjourned at 7:12 pm.

60
61 Respectfully Submitted,

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63
64 _____
65 Gregg Zody, Secretary

66
67 Approved by:
68
69
70 _____
71 Josiah Tillett, Chairman

**SPECIAL USE
PERMIT
SU170002**

**Blue Ridge Towers, Inc.
Wireless Communications
Facility, Class 4**

**Presenter: Mariel Fowler
540-586-7616 ext 1390
540-586-2059 (fax)
mfowler@bedfordcountyva.gov**

MEMORANDUM

TO: Planning Commission

FROM: Mariel Fowler, Planner *MFAA*

THROUGH: Gregg Zody, Director of Community Development *GZ*

DATE: February 21, 2017

SUBJECT: **Special Use Permit #SU170002: Wireless Communication Facility, Class 4**

SYNOPSIS

Blue Ridge Towers, Inc. is requesting a special use permit to construct a 195-foot-tall monopole tower within a 50-foot by 50-foot compound area for the purpose to provide the necessary Shentel cellular coverage and services in the area and fill in the zero coverage gap in this vicinity. The proposed tower will be located on Tax Map #85A2-1-26 and Tax Map #85A2-1-27 that are zoned Agricultural/Rural Preserve district (AP) running along W. Lynchburg Salem Turnpike (Route 460). The property is located in Election District 6.

BACKGROUND

Applicant/Authorized Agent

The applicant for the proposed project is Blue Ridge Towers, Inc., 1125 First Street, Roanoke, Virginia 24016. The authorized agent for the applicant is Anthony Smith, Founder and President of Blue Ridge Towers, Inc.

Owner

The owner of the subject parcels is Blue Ridge Towers, Inc., 1125 First Street, Roanoke, Virginia 24016.

Engineer

The engineer selected for this project is Froehling & Robertson, Inc., 3015 Dumbarton Road, Richmond, VA 23228.

Location

The parcels (Tax Map # 85A2-1-26 and # 85A2-1-27) are located at the end of Tower Road, which can be accessed through Route 460, and are approximately 11.12 combined acres in size. The proposed compound area (50' x 50') can be accessed from Route 460 through Tower Road on a 12-foot access drive and utility easement. Service and Emergency vehicle access will be provided at the end of the 12-foot road to the compound with a 20-foot by 50-foot area for turnaround and service access.

Proposed Change

The present request is for approval of a Special Use Permit to allow for the construction of a 195-foot above ground level ("AGL") monopole tower ("Wireless Communications Facility, Type 4" use) within a 50' x 50' compound area on Tax Map # 85A2-1-26 and a proposed access drive crossing Tax Map #85A2-1-27. Due to AEP's moratorium/non-collocation policy, coupled with no other existing structures in the nearby area, the proposed tower has been submitted to provide Shentel cellular coverage and services in the area and fill in the zero coverage gap in the vicinity.

The tower compound area (50' x 50') will be surrounded by an 8-foot tall chain link fence. The chain link fence will have at least one foot of barbed wire (three strands) to prevent unauthorized entry into the compound area. The applicant is currently proposing three (3) 15' x 20' future equipment areas for other wireless providers/carriers to co-locate on the tower, in addition to a 20' x 20' equipment area that will be utilized by Shentel. Additional shelters and ground equipment will be added to the compound area when wireless providers co-locate on the tower.

ANALYSIS

Zoning/Land Use Compatibility

The subject parcels are zoned AP and currently undeveloped with existing power and telephone utilities located at the northern corner of the parcel off the existing Tower Road access. Adjacent properties are zoned AP, and AP with the Corridor Overlay district running along Route 460 to the north. Surrounding land uses include agricultural, residential, and undeveloped.

The proposed monopole tower is 195 feet in height and classified as a "Wireless Communication Facility, Class 4" use in the zoning ordinance. In order for the applicant to establish a "Wireless Communication Facility, Class 4" use in the AP zoning district, approval of a special use permit subject to use and design standards (S*) is required.

Zoning Ordinance

A Wireless Communication Facility is defined in Section 30-23 as:

All infrastructure and equipment including but not limited to antenna support structures, antennas, transmission cables, equipment shelters, equipment cabinets, utility pedestals, ground equipment, fencing, signage and other ancillary equipment associated with the transmission or reception of wireless communications.

Wireless Communication Facilities are broken down into four (4) different classes based upon the height of the proposed tower. The existing tower that is being requested would be classified as a Class 4 tower is defined as:

Wireless Communication Facilities with a height greater than one hundred twenty (120) feet but less than or equal to two hundred (200) feet above ground level (AGL).

Section 30-87-3 of the Zoning Ordinance outlines the general standards and special application requirements for Wireless Communication Facilities. It is the opinion of staff and the County's consultant that all general standards and application requirements have been met by the applicant.

The applicant requests a waiver from the landscaping requirement (30-87-3(G)(5)) be granted given that the tower compound area is surrounded by mature trees that provides an adequate buffer. The waiver may be granted through the approval of the special use permit at the Board of Supervisors' discretion. Additionally, Blue Ridge Towers has stated within their application that they "welcome Bedford County to apply through Blue Ridge Towers' normal application process to collocate the county's emergency broadcast antennas (E-911) on the approved monopole. The approval to collocate County's emergency antennas will certainly be expedited within Blue Ridge Towers."

Strategic Plan for Commercial Wireless Telecommunications Facilities

The proposed tower is not located within the one-mile radius of a proposed PCTDA tower location in the County's Strategic Plan for Commercial Wireless Telecommunications Facilities ("Wireless Plan"), a component of the 2030 Comprehensive Plan (approximately 3.5 miles from coordinates for PCTDA #11 Montvale). The Wireless Plan recognizes that certain areas of the County have wireless voice/broadband deficiencies, with Montvale being an area where taller (Class 4) towers may be needed due to the topographic constraints. This application will improve the wireless voice/broadband deficiencies in the Montvale area and provide co-location opportunities for additional wireless carriers.

Tower Review Consultant Comments

Atlantic Technology Consultants (ATC) reviewed the application for the siting and design, general safety, structural, environmental and historic impacts, as well as other federal requirements such as the need for an FAA study, RF exposure, and interference. In the executive summary of the report, ATC stated that "it is in the opinion of this consultant that the applicant's plans conform to all Federal, State, and County regulations regarding the construction of telecommunications support structures". Important findings to note from the consultant's report are as follows:

1. The tower does not have to register with the FAA (lighting of the tower will not be required).
2. No evidence of interference by or with this site after a general evaluation of the surrounding transmitter sites.
3. Radio Frequency (RF) exposure signage will be placed at the site to protect the public and site workers from unsafe RF exposure. In a study dated December 26, 2016 performed by SiteSafe, Inc., and signed by Mr. Klaus, PE, this site was evaluated as "compliant."
4. "No direct or visual effects on area of potential effects" was determined with the Section 106 submittal to the State Historic Preservations Offices (SHPO).
5. A Phase I Environmental Site Assessment & NEPA Review was not submitted, but has been ordered through Froehling and Robertson, Inc. The consultant visited the site and sees no obvious environmental impact.
6. Applicant wishes to remove three (3) existing small sites collocated on AEP high-voltage towers and replace with one WCF at 195' AGL, as part of Shentel's "re-design" of coverage along the Lynchburg-Salem Turnpike. Consultant concurs with the application submittal, noting that the applicant provided compelling, accurate, and complete information to support proposed tower site.

Visual Impact

The proposed tower will have a visual impact on the adjoining properties and those traveling along nearby road ways, given the height of the proposed tower. The existing trees on the property will aid in reducing the visual impact, but given the tower's height, it will be visible above mature trees. The applicant has submitted photosimulations (see attachment) that will show the visual impact of the tower from different areas near the tower site. The tower will comply with all setbacks, with the closest residential dwelling being approximately 1,200 feet from the tower.

Staff Recommendation/Conditions

Based on the existing land use conditions, adjacent zoning and land uses, and feedback from outside agencies, staff would recommend approval of the application to the Planning Commission and Board of Supervisors with conditions.

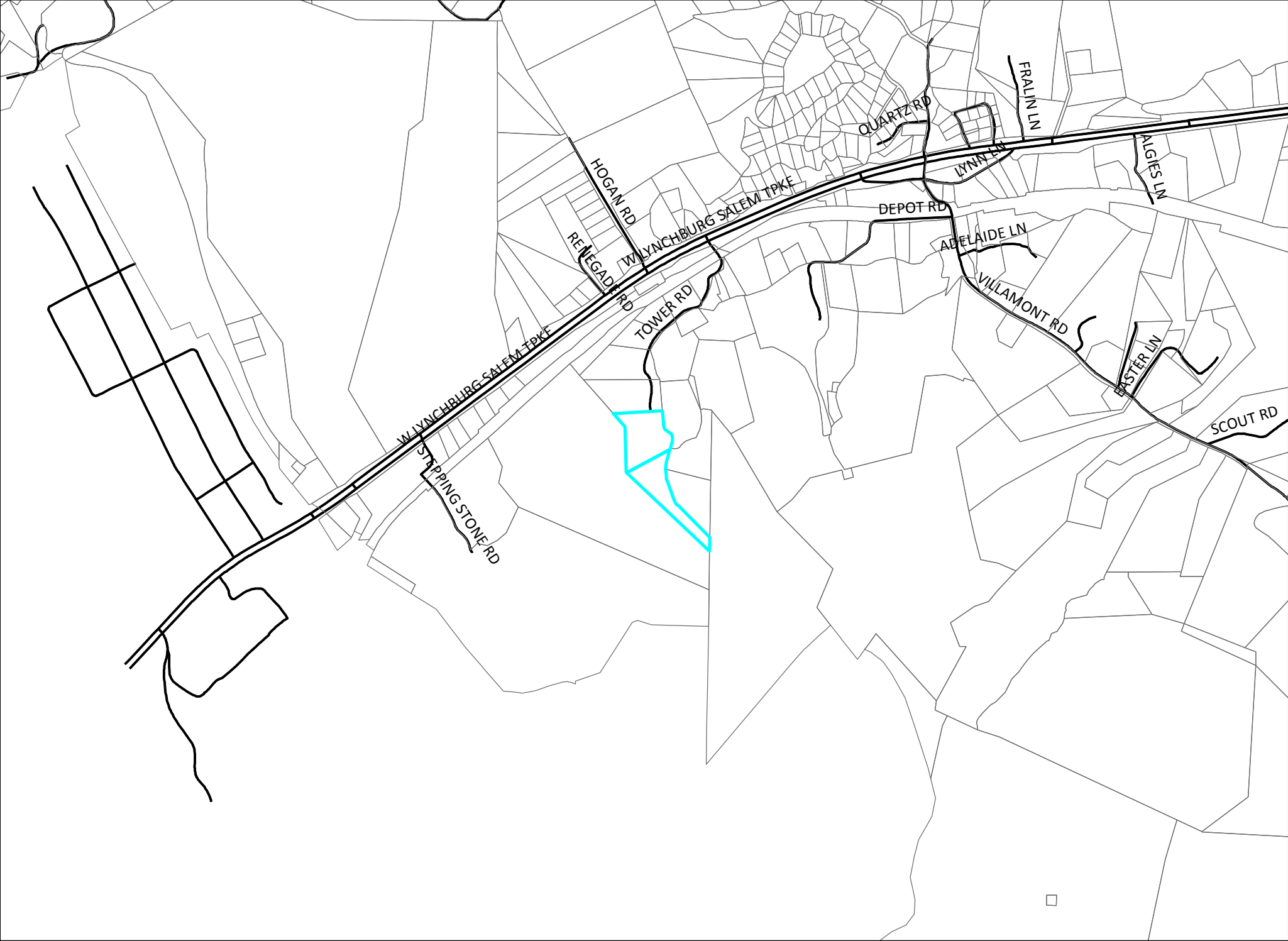
In accordance with Section 30-19-3(c) of the Zoning Ordinance, the Board of Supervisors may attach (Planning Commission may recommend) any conditions necessary to ensure the proposal meets the specific and general standards for the proposed use. The following conditions are recommended by staff:

1. The monopole tower associated with the "Wireless Communication Facility, Class 4" use shall not exceed 195 feet in height.
2. The monopole tower shall be maintained with a non-reflective galvanized steel finish.
3. Existing trees on the subject parcel shall remain as a buffer of the tower compound area. If the trees remain, the requirements of a landscaping plan in Section 30-87-3(G)(5) of the Zoning Ordinance shall be waived. If any trees are removed from around the tower lease area, the Zoning Administrator shall be notified and determine if landscaping is needed.
4. All General Safety recommendations from the Atlantic Technology Consultants, Inc. report shall be followed.
5. Lighting, if used, shall be the minimum required for safety and security and shall be directed downward, away from adjacent properties and roadways.

ATTACHMENTS

1. Location Map
2. Zoning Map
3. Future Land Use Map
4. Aerial Photograph – 2015
5. Special Use Permit Application
6. Concept/Site Plan
7. Photosimulations
8. Propagation Map
9. ATC Report (Pages 1-13)
10. Section 30-32, Article III, AP (Agricultural/Rural Preserve) District
11. Section 30-87-3, Article IV, Wireless Communication Facility (WCF), Class 1-4

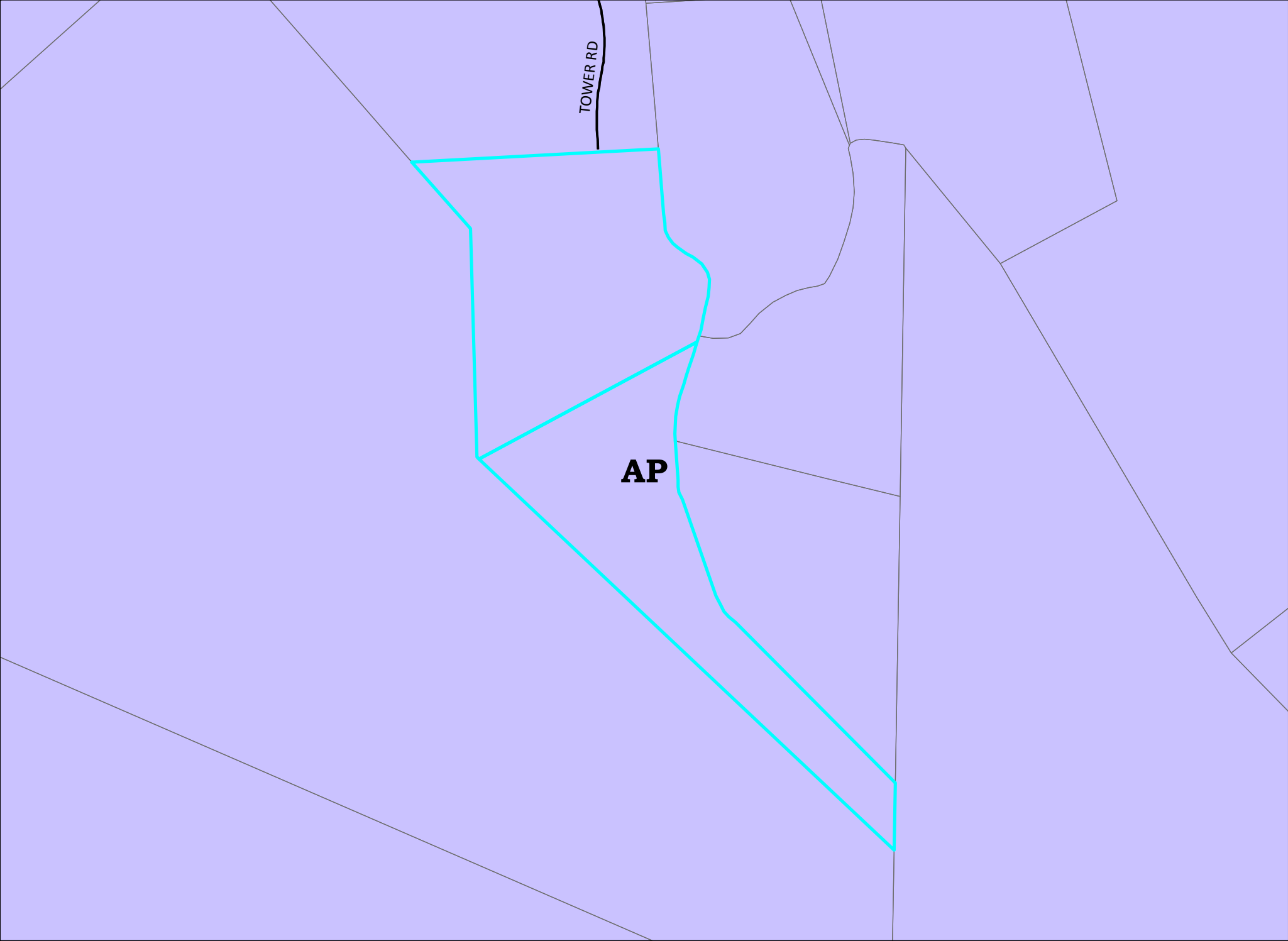
Location Map



Zoning Map

TOWER RD

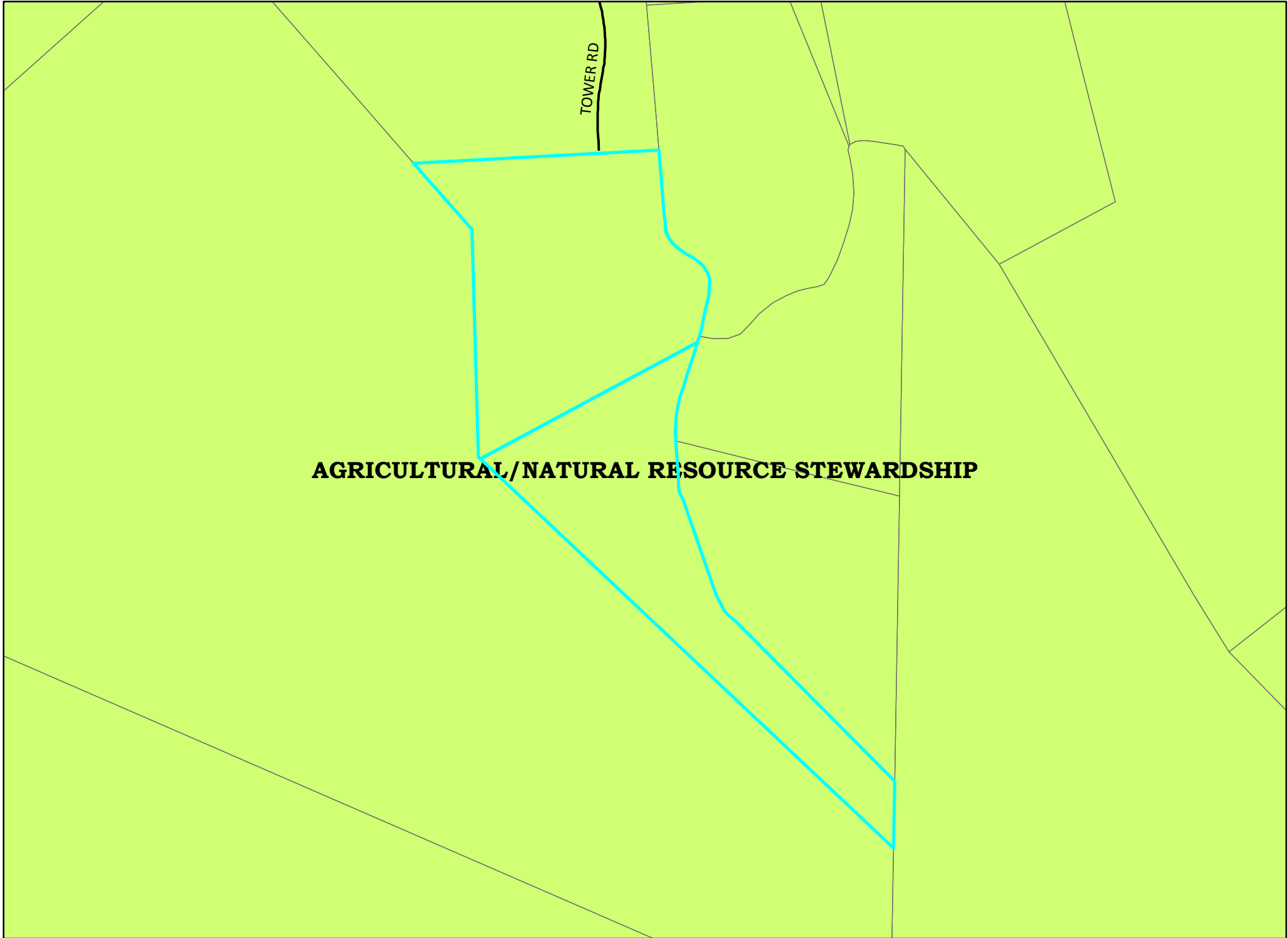
AP



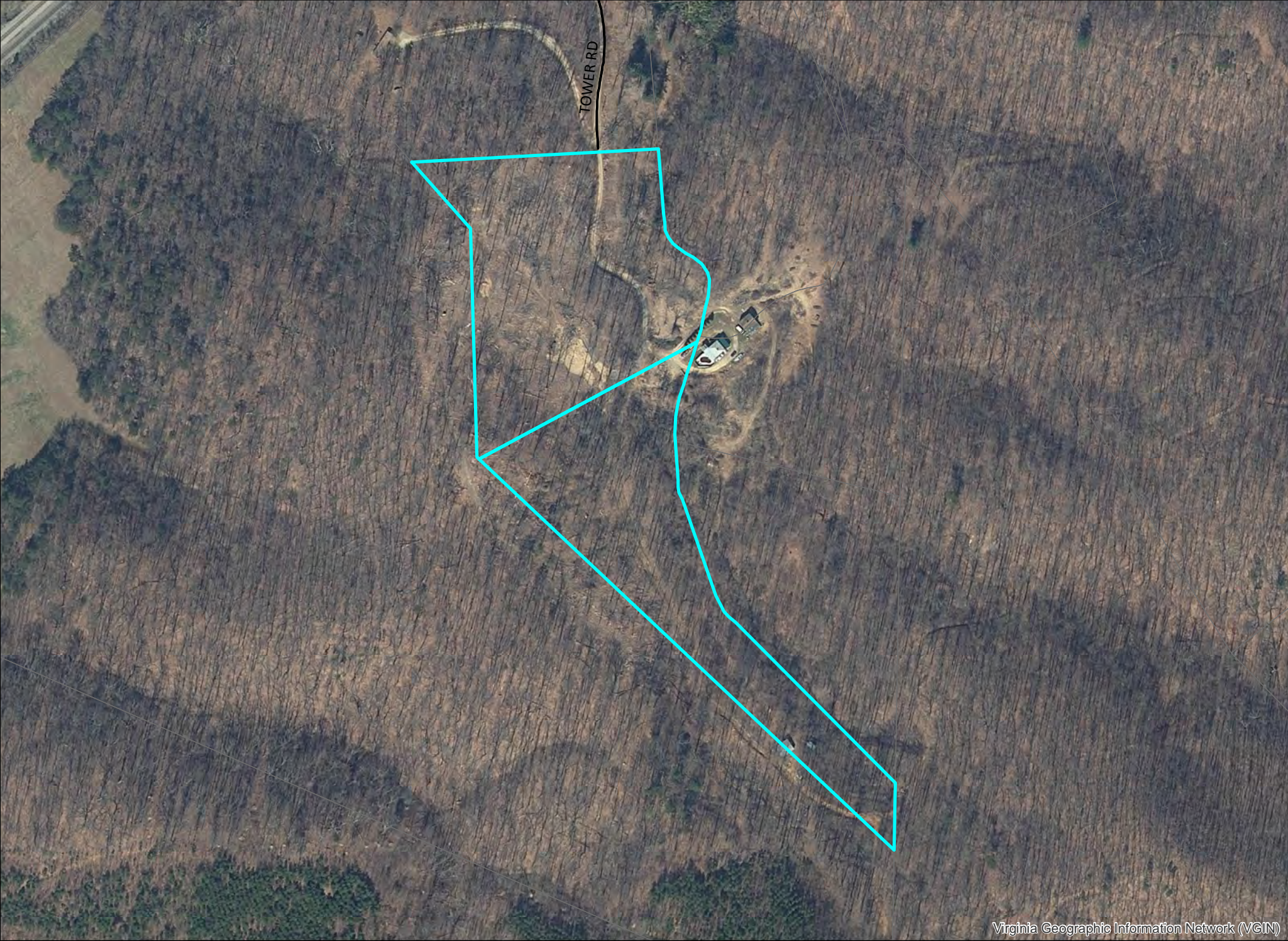
Future Land Use Map

TOWER RD

AGRICULTURAL/NATURAL RESOURCE STEWARDSHIP



Aerial Photograph





Bedford County
 Department of Community Development
 Division of Planning
 122 E. Main Street, Suite G-03
 Bedford, VA 24523
 (540) 586-7616 • Fax (540) 586-2059
 www.bedfordcountyva.gov/planning

For staff use only
 Date received: 12/21/16 Received by: TLT
 Fee Paid: \$ 3,050.00 PC Date:
 Application No.: SW170002 BOS Date:
 Project No.: PR170601

Special Use Permit Application

GENERAL INFORMATION:

Section 30-19: Special uses are established in recognition that in addition to uses permitted by right, certain uses may, depending upon their scale, design, location, and conditions imposed by the Board of Supervisors be compatible with existing and future uses in a district. A special use permit application may be initiated by:

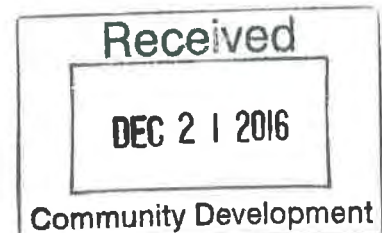
- 1) Resolution of the Board of Supervisors;
- 2) Motion of the Planning Commission;
- 3) Petition of the owner, contract purchaser with the owner’s written consent, or the owner’s agent of the property for which a special use permit is requested.

APPLICATION PROCEDURE:

- **Consultation with Planning Staff:** You are required to meet with a planner to discuss feasibility of request prior to submission.
- **Planning Commission:** The Planning Commission will hold an advertised public hearing and review the application in order to make and forward an advisory recommendation to the Board of Supervisors.
- **Board of Supervisors:** The Board of Supervisors will hold a public hearing and review the application in order to make a decision on the request. In granting the special use permit, the Board of Supervisors may attach any conditions necessary to insure that the proposal meets the specific and general standards for the proposed use.

Please make sure the following items are included BEFORE submitting:

- Application Fee:** \$300.00 (checks made payable to Bedford County). Applicant is also responsible for the costs of all public notifications including sign posting, mailings and legal advertisements.
- Concept Plan:** A concept plan prepared by a professional engineer, architect or surveyor must be submitted with the application in both hard copy and digital (.pdf format) versions. The plan shall include at a minimum what is required of a site development plan in Article V of the Zoning Ordinance and address any potential land use or design issues arising from the request. It is the responsibility of the applicant to demonstrate that the proposed use will be in harmony with the zoning district and surrounding area. If the proposed development is to be constructed in phases, all phases shall be shown at the time of the original application.





Bedford County

Special Use Permit Application

Please print in blue or black ink or typewrite. If not applicable, write N/A.

APPLICANT INFORMATION

Note: If applicant is not the property owner, an owner's authority letter must be submitted with application.

Applicant Name: Blue Ridge Towers Inc
 Address: 1125 1st Street, Roanoke VA 24016
 Phone: 540-595-7060 Fax: 540-685-4834 Email: asmith@blueridgetowers.com
 Property Owner Name: Blue Ridge Towers Inc
 Address: 1125 1st Street, Roanoke, VA 24016
 Phone: 540-595-7060 Fax: 540-685-4834 Email: asmith@blueridgetowers.com
 Authorized Agent/Contact Person: _____
 Address: SAME ↑
 Phone: _____ Fax: _____ Email: _____
 Engineer: Froehling + Robertson Inc (Hillary Battle)
 Address: 3015 Dumfries Rd, Richmond VA 23228
 Phone: 804-284-2701 Fax: N/A Email: N/A

PROJECT INFORMATION

Location/Address of Property (directions from Bedford County Administration Building):
1407 - Tower Road, Roanoke, VA 24012

Tax Map Number(s): 85A2-1-26 + 27
 Magisterial District: AP Election District: _____
 Size of Parcel(s): In acres 11.7226 In sq. ft. 484,502 sq. ft.
 Amount of area to be utilized 50' x 80' feet

Does the parcel meet the minimum requirements contained in the Article IV use and design standards for the use? () Yes () No

Current Zoning: A.P. M-1 E-1 Current Land Use: Agricultural. Road
 Proposed Land Use (from Permitted Use Table, Sec. 30-79-2): _____

Please describe the proposed project or purpose of the request. Proposed new 195' monopole for shantel wireless to construct a new cellular tower and a 50' x 50' compound for wireless cellular facility

JUSTIFICATION FOR SPECIAL USE PERMIT

The Planning Commission will study the special use request to determine the need and justification for the change in terms of public health, safety and general welfare. Please answer the following questions as thoroughly as possible. Attach additional paper if necessary.

Please explain how the request furthers the purposes of the Zoning Ordinance (Section 30-3) as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

- seeking approval to build new cellular monogole in the AP District

Please explain how the project conforms to the general guidelines and policies contained in the Bedford County Comprehensive Plan.

- seeking Planning / zoning Approval under Bedford county Cell tower Ordinance Act.

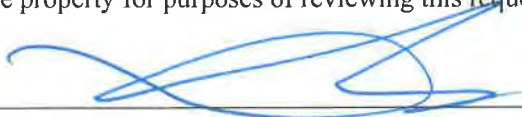
Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire/rescue.

- No impact on exsiting facilities.

CERTIFICATION

I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representatives entry onto the property for purposes of reviewing this request.

Owner/Agent Signature:



Date:

12/21/2016

Print Name:

Anthony Smith

Blue Ridge Towers, Inc.

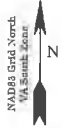
Showing property situated on the west side of Chapman Hollow Road northeast of US Highway 460 lying in the Blue Ridge Magisterial District of Bedford County, Virginia. County Tax Maps 85A3 - 1 - 36 & 27 being all of the same property ROBERT L. CROUCH and DOROTHY D. CROUCH acquired from J. C. OVERSTREET by deed dated 19 September 1984 of record in Deed Book 573 pg. 769. Also see for further reference DB 133 pg. 488, DB 123 pg. 106, DB 104 pg. 214, DB 104 pg. 409 (Plat), DB 117 pg. 430 (Plat) and DB 114 pg. 355 (Plat). All of the aforementioned documents are recorded in the Office of the Clerk of the Circuit Court of Bedford County located in Bedford, Virginia.

November 23, 2016

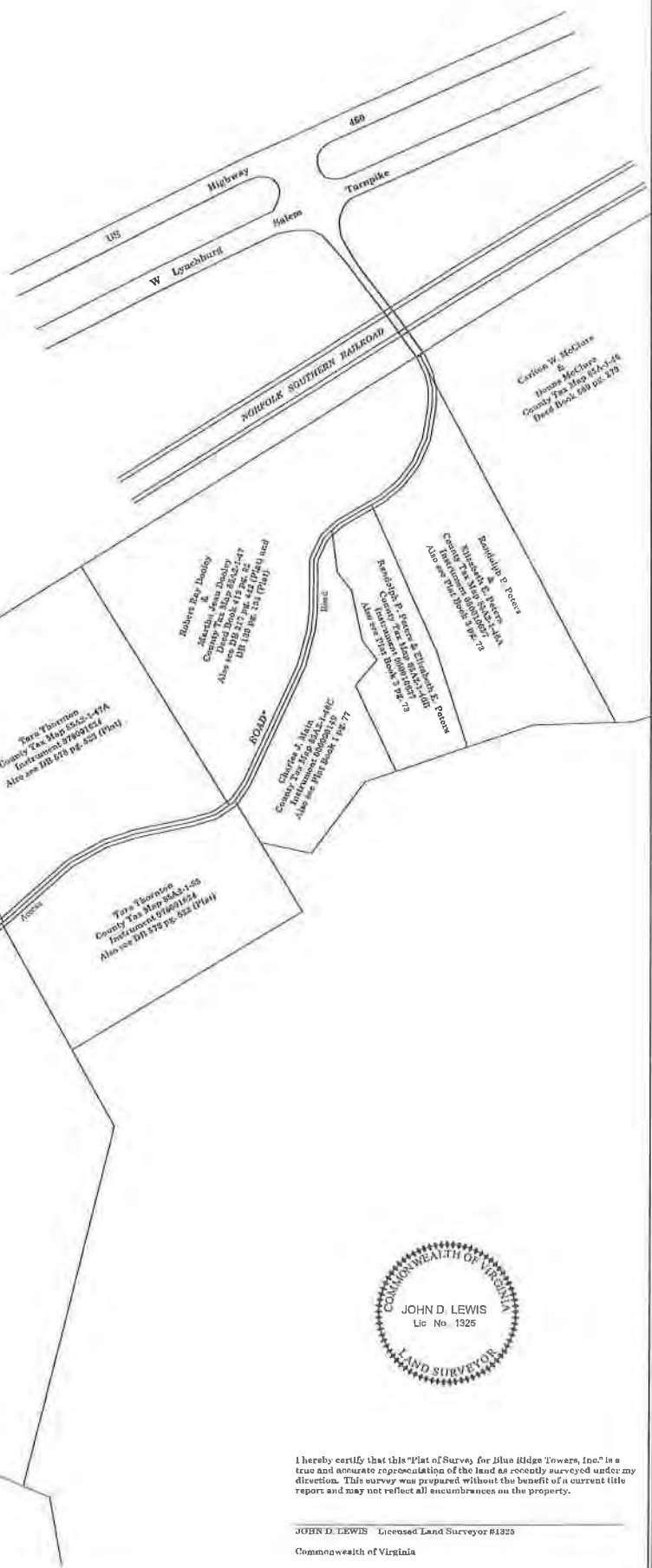
Scale: 1" = 80'



Prepared By
Fork Mountain Surveying and Mapping Inc.
PO Box 163
951 Fork Mountain Road SW
Meadow of Dan, Virginia 24120
Office 276 - 952 - 6110
Fax 276 - 952 - 6111
E-Mail fma@forkmountain.com



TESTE:



Kenneth M. Spler
Blairy Cadwell Spler
County Tax Map 85A3-1-36
Deed Book 106 pg. 253
(Also see Plat Book 13 pg. 27)

Alan C. Pharoos
Cody
County Tax Map 85A3-1-36
Deed Book 133 pg. 234

M. Stephen Spitzer
Shirley J. Spitzer
County Tax Map 85A3-1-36
Deed Book 106 pg. 433

M. Stephen Spitzer
Shirley J. Spitzer
County Tax Map 85A3-1-36
Deed Book 106 pg. 433

Tara Thornton
County Tax Map 85A3-1-47A
Instrument 978690104
Also see DB 176 pg. 525 (Plat)

Tara Thornton
County Tax Map 85A3-1-55
Instrument 978690104
Also see DB 176 pg. 525 (Plat)

Robyn Ray Doolittle
Alicia
County Tax Map 85A3-1-47
Deed Book 106 pg. 433
Also see DB 176 pg. 525 (Plat)

Charles A. Allen
County Tax Map 85A3-1-55
Instrument 978690104
Also see DB 176 pg. 525 (Plat)

Richard P. Peters & Elizabeth K. Peters
County Tax Map 85A3-1-55
Deed Book 106 pg. 433
Also see DB 176 pg. 525 (Plat)

Carlton W. McClure
Deane McClure
County Tax Map 85A3-1-55
Deed Book 106 pg. 433



I hereby certify that this "Plat of Survey for Blue Ridge Towers, Inc." is a true and accurate representation of the land as recently surveyed under my direction. This survey was prepared without the benefit of a current title report and may not reflect all encumbrances on the property.

JOHN D. LEWIS Licensed Land Surveyor 61325
Commonwealth of Virginia

SHEET 2
SHEET 1

Blue Ridge Towers, Inc.

Showing property situated on the west side of Chapman Hollow Road northeast of US Highway 460 lying in the Blue Ridge Magisterial District of Bedford County, Virginia. County Tax Maps 85A2 - 1 - 26 & 27 being all of the same property ROBERT L. CROUCH and DOROTHY D. CROUCH acquired from J.C. OVERSTREET by deed dated 19 September 1984 of record in Deed Book 678 pg. 759. Also see for further reference DB 133 pg. 488, DB 123 pg. 106, DB 104 pg. 214, DB 104 pg. 409 (Plat), DB 117 pg. 430 (Plat) and DB 114 pg. 365 (Plat). All of the aforementioned documents are recorded in the Office of the Clerk of the Circuit Court of Bedford County located in Bedford, Virginia

November 23, 2016

Scale: 1" = 80'



Prepared By
Mark Mountain Surveying and Mapping, Inc.
170 Box 163
951 Fork Mountain Road SW
Newfounders of Dan, Virginia 24120
Office 776 - 952 - 6110
Fax 776 - 952 - 6111
E-Mail fm@markmountain.com



Harry Wayne Whitmore
County Tax Map 85A2-1-29
Instrument 099015484
Also see Instrument 26084144 (Plat),
DB 138 pg. 128A (Plat) and
DB 117 pg. 430 (Plat)

County Tax Map 85A2 - 1 - 27
5.4444 Acres
(237,160 Sq. Ft.)

County Tax Map 85A2 - 1 - 26
5.6782 Acres
(247,842 Sq. Ft.)



FLOOD NOTE:

Subject property falls within Zone X (areas outside 0.2% annual chance) as determined by F.E.M.A. This opinion is based upon an examination of Community Flood 51050C D120 D, effective September 29, 2010 and has not been field verified.

I hereby certify that this "Plat of Survey for Blue Ridge Towers, Inc." is a true and accurate representation of the land as recently surveyed under my direction. This survey was prepared without the benefit of a current title report and may not reflect all encumbrances on the property.

JOHN D LEWIS Licensed Land Surveyor #1325
Commonwealth of Virginia

Non-monumented points in center of Chapman Hollow Road unless otherwise noted

All Iron Rods Set are 3" Rebar w/ Red Cap Inscribed "FORK MT SURVEY"
Vicinity Map USGS Quad. Map: VILLAMONT Not To Scale
Created 1963 Revised/Inspected 1985 USGS Ref. Codes 37079-D7-1F-024
81°22'17" 07°47'15"W



LINE	BEARING	HORIZ DIST	LINE	BEARING	HORIZ DIST
L1	S7°54'08"E	15.85	L30	S27°26'52"E	165.09'
L2	S1°51'04"E	20.31	L31	S24°18'57"E	25.53'
L3	S3°27'46"W	39.16	L32	S27°43'14"E	35.91'
L4	S10°14'05"W	48.99	L33	S18°38'57"E	43.14'
L5	S8°13'13"W	34.61	L34	S34°10'39"E	15.88'
L6	S1°51'14"W	14.11	L35	S47°13'57"E	11.38'
L7	S6°37'07"E	11.29	L36	S64°30'42"E	11.19'
L8	S19°16'07"E	8.73'	L37	S71°40'16"E	6.78'
L9	S28°24'37"E	8.71'	L38	S20°18'21"E	14.19'
L10	S41°49'47"E	12.39'	L39	S30°11'17"E	16.32'
L11	S33°04'37"E	16.38'	L40	S8°18'35"E	26.91'
L12	S63°37'42"E	38.02'	L41	S11°20'26"E	14.71'
L13	S53°58'10"E	10.61'	L42	S6°13'39"E	31.82'
L14	S5°51'11"E	11.70'	L43	S11°18'17"E	18.28'
L15	S41°28'04"E	14.97'	L44	S17°53'10"E	15.27'
L16	S82°38'28"E	17.16'	L45	S84°35'51"E	14.70'
L17	S15°14'22"E	17.05'	L46	S49°14'49"E	23.86'
L18	S5°06'47"E	10.43'	L47	S55°46'51"E	27.71'
L19	S0°43'31"W	39.76'	L48	S48°38'24"E	22.50'
L20	S6°18'16"E	24.43'	L49	S39°15'18"E	28.36'
L21	S18°49'07"W	32.14'	L50	S45°27'19"E	27.37'
L22	S16°46'07"W	30.23'	L51	S47°56'14"E	26.91'
L23	S24°26'55"W	28.22'	L52	S51°46'06"E	19.98'
L24	S19°54'42"W	48.04'	L53	S37°56'13"E	21.65'
L25	S10°24'31"W	29.02'	L54	S46°45'37"E	24.04'
L26	S0°19'43"E	80.52'	L55	S46°18'03"E	21.66'
L27	S4°26'30"W	42.25'	L56	S41°18'27"E	32.02'
L28	S9°28'15"E	33.44'	L57	S84°53'24"E	22.10'
L29	S14°38'46"E	54.47'			

Blue Ridge Towers, Corporation
County Tax Map 85-A-27
Instrument 97006677

Blue Ridge Towers, Corporation
County Tax Map 85-A-27
Instrument 97006677
Also see DB 223 Book 211 pg. 234
DB 25 pg. 11
DB 25 pg. 11

FORESITE

Foresite Group, Inc.
5185 Peachtree Pkwy.
Suite 200
Norcross, GA 30092
o | 770.368.1399
f | 770.368.1944
w | www.fg-loc.net

BLUE RIDGE TOWERS

SEAL

DRAFT
FOR REVIEW

PROJECT: TOWER ROAD

LOCATED AT:
1378-1457 TOWER ROAD
BLUR RIDGE, VA 24084

DEVELOPER:
BLUE RIDGE TOWERS
401 GAINSBORO ROAD
ROANOKE, VA 24018
(0) 540-397-6626

REVISIONS DATE

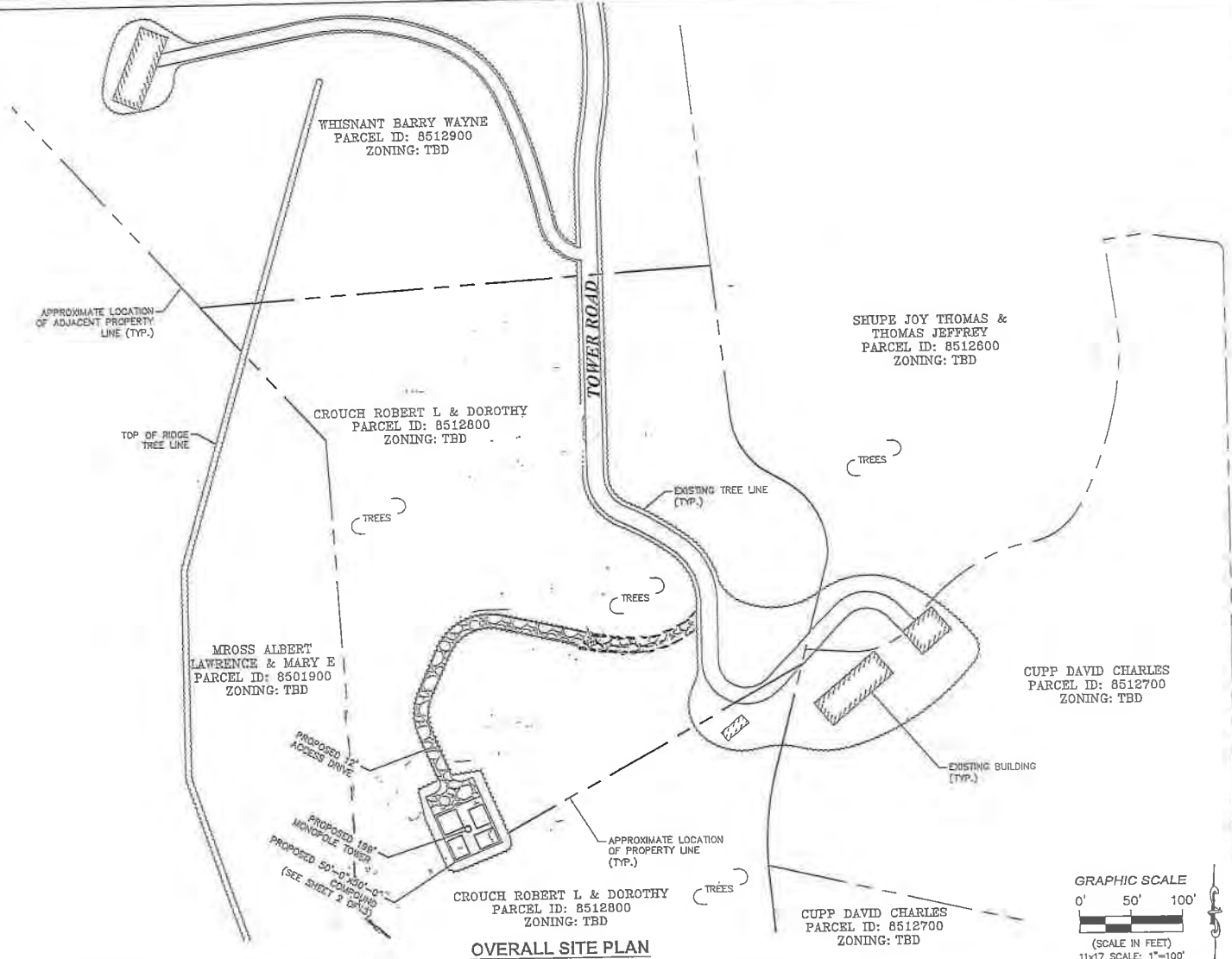
REVISIONS	DATE

ISSUED FOR:	REVIEW
PROJECT MANAGER:	DWB
DRAWING BY:	DWB
DATE:	08/22/18
TITLE:	

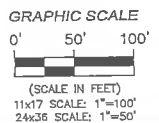
OVERALL SITE PLAN

SHEET NUMBER: 1 OF 3
JOB/FILE NUMBER: 884.002

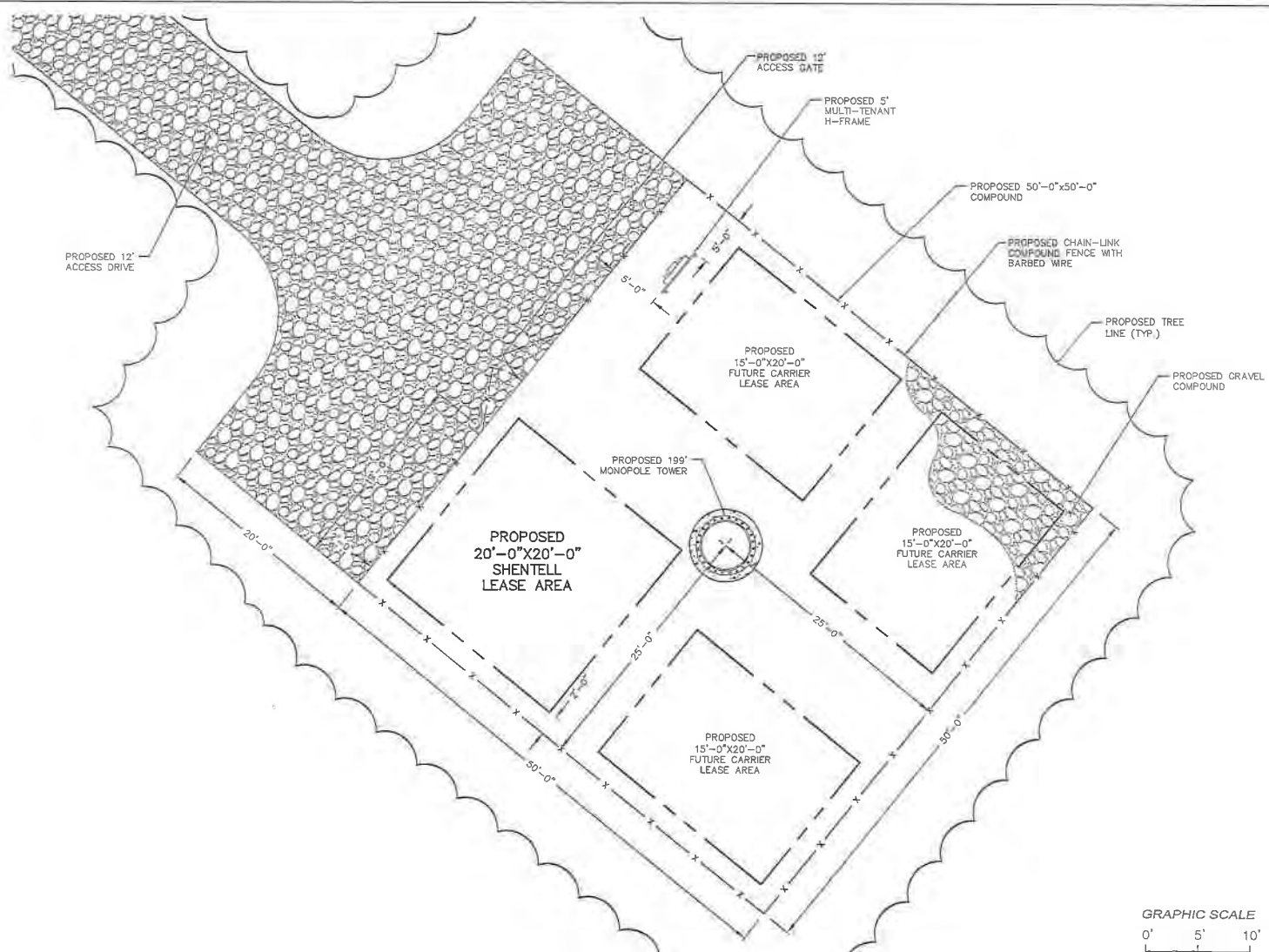
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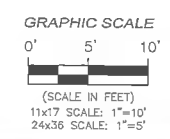
OVERALL SITE PLAN



Drawing Name: 081614 - Blue Ridge Towers\884.002 - Tower\03\02\Tower 00 Lease Final.dwg | E-9 | Aug 24, 2016 3:38pm | gpc.mahony



SITE PLAN



FORESITE

Foresite Group, Inc.
 5185 Peachtree Pkwy.
 Suite 240
 Norcross, GA 30092

o | 770.368.1399
 f | 770.368.1944
 w | www.jg-inc.net

BLUE RIDGE TOWERS

SEAL:

**DRAFT
 FOR REVIEW**

PROJECT:
TOWER ROAD

LOCATED AT:
 1373-1457 TOWER ROAD
 BLUE RIDGE, VA 24084

DEVELOPER:
 BLUE RIDGE TOWERS
 401 GAINSBORO ROAD
 ROANOKE, VA 24016
 (0) 540-397-0828

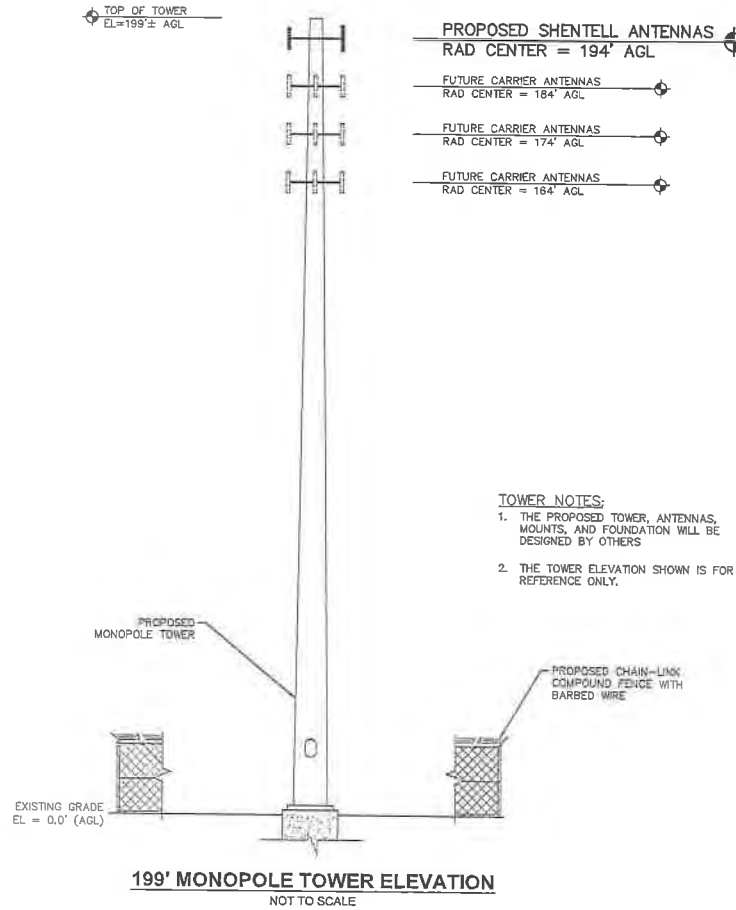
REVISIONS	DATE

ISSUED FOR: _____ REVIEW
 PROJECT MANAGER: _____ DWB
 DRAWING BY: _____ DWB
 DATE: _____ 08/22/16
 TITLE: _____

SITE PLAN

SHEET NUMBER: **2 OF 3**
 JOB/FILE NUMBER: **884.002**

TOWER AND FOUNDATION DESIGN BY OTHERS. FORESITE GROUP ACCEPTS NO RESPONSIBILITY FOR THE STRUCTURAL CAPACITY OF THE TOWER OR FOUNDATION(S). CONTRACTOR SHALL COORDINATE WITH AND COMPLY WITH THE PROVISIONS OF THE STRUCTURAL ANALYSIS PRIOR TO INSTALLATION OF EQUIPMENT ON TOWER.



FORESITE
 Foresite Group, Inc.
 5185 Peachtree Pkwy.
 Suite 240
 Norcross, GA 30092

| 770.368.1399
 | 770.368.1944
 | www.fginc.net

BLUE RIDGE TOWERS

SEAL:

DRAFT FOR REVIEW

PROJECT:
TOWER ROAD

LOCATED AT:
 1378-1457 TOWER ROAD
 BLUE RIDGE, VA 24064

DEVELOPER:
 BLUE RIDGE TOWERS
 401 GAINSBORO ROAD
 ROANOKE, VA 24016
 (0) 540-397-8828

REVISIONS	DATE

ISSUED FOR: REVIEW
 PROJECT MANAGER: DWB
 DRAWING BY: DWB
 DATE: 05/22/18
 TITLE:

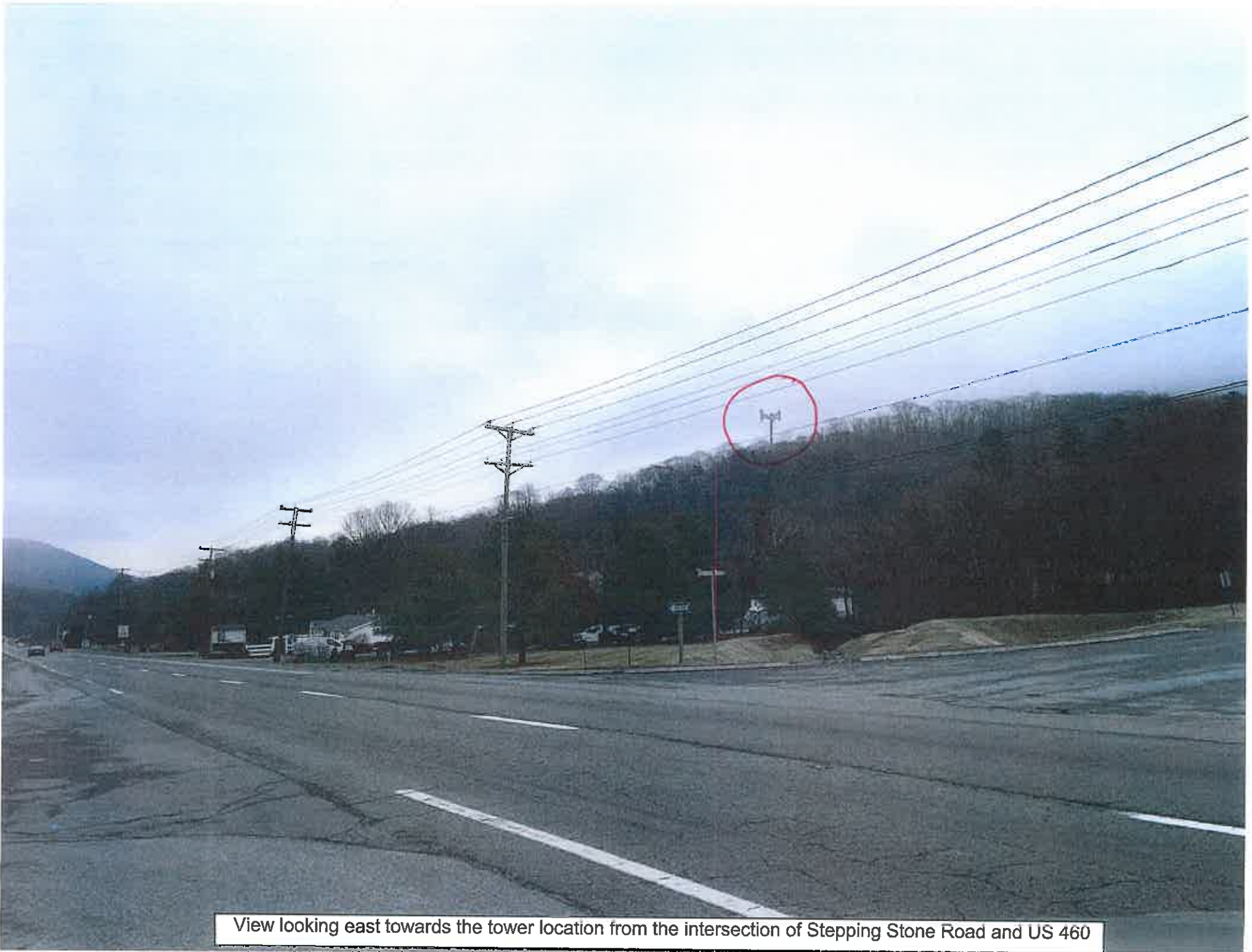
TOWER ELEVATION

SHEET NUMBER: 3 OF 3
 JOB/FILE NUMBER: 884.002

Drawing name: D:\884 - Blue Ridge Towers\884.002 - Tower\884\TOWER.MXD User: Eshelberg Date: Aug 27, 2018 3:59pm by: dshelb



View looking east towards the tower location from the parking lot of Boxley Quarry



View looking east towards the tower location from the intersection of Stepping Stone Road and US 460



View looking east towards the tower location from US 460



December 16, 2016

Blue Ridge Towers, LLC
Attn: Sean Cai
401 Gainsboro Road
Roanoke, VA 24016

RE: SHENTEL (69173/RN167 Laymantown) Blue Ridge Tower Candidate

Dear Mr. Cai;

Shenandoah Personal Communications, LLC ('SHENTEL') requests the consideration of Bedford County for new wireless facility located on property owned by Blue Ridge Towers INC. described as tax parcel 85A2-1-26 and 27 zoned AP. The wireless service facility is located at on the south side of Rt. 460/221 (W. Lynchburg Salem Turnpike) at the end of Tower Road, in Blue Ridge, VA. SHENTEL is an affiliate of Sprint and provides wireless communications services under the Sprint brand.

SHENTEL is in the process of enhancing its existing 3G voice and data network by replacing old network equipment with 4G/LTE (Long Term Evolution) equipment that will provide improved call performance, expanded coverage, faster downloads and stronger indoor signals. The current 3G voice and data network utilizes the 1900 MHz spectrum only. The SHENTEL 4G/LTE upgrades will use a tri-band system that will: 1) repurpose old Nextel spectrum (800 MHz spectrum) for increased coverage and better in-building coverage, 2) use Clearwire spectrum (2.5 GHz spectrum) for increased data capacity and 3) continue to use the existing Sprint/SHENTEL spectrum (1900 MHz spectrum). By using this tri-band system, Sprint customers will have LTE enhancement, improved call quality and diverse data capacity. In addition to upgrading our current network of sites, SHENTEL is also adding sites to increase capacity in saturated areas.

Currently SHENTEL has coverage along this portion of Rt. 460/221 from the Blue Ridge Parkway to the Thaxton area. SHENTEL has (3) existing sites described on the propagation maps attached as RN105 Boxley AEP, RN107 McMillan and RN214 Thaxton AEP. RN105 and RN214 are existing AEP high voltage transmission towers that SHENTEL is collocated on. Due to the fact they are high voltage towers, AEP will no longer allow us to upgrade them, therefore SHENTEL will need to remove our equipment from the AEP structures and find alternate locations for these sites. RN107 is an existing wood pole structure that is owned by SHENTEL. This wood pole is not structurally capable to accommodate an upgrade for 4G/LTE equipment and will be removed. (See propagation maps #1-7)

Due to our need to relocate from the AEP high voltage structures (RN105 and RN214), SHENTEL had to redesign the coverage of this area along Rt. 460/221. RN105 Boxley AEP is a significant loss due to the fact it provided excellent coverage along Rt. 460/221 at the "curve" east of Villamont. SHENTEL was unable to find an adequate single site solution to replace RN105 Boxley AEP, therefore a two site solution was required. As shown on propagation map #8, the loss of RN105 Boxley AEP leaves a significant gap in coverage west of the curve at Villamont to the Blue Ridge Parkway. The site proposed by Blue Ridge Towers located at the end of Tower Road on the south side of Rt. 460/221, will provide a portion of the needed coverage for SHENTEL that was eliminated with the removal of RN105 Boxley AEP. The site on Tower Road is depicted as 69173/RN167 Laymantown on the attached propagation map #9. A second site is proposed by SHENTEL in conjunction with Blue Ridge Towers located in Botetourt County northeast of the intersection of Rt. 460/221 and the Blue Ridge Parkway. This site is depicted as 67388 Stanley Abbot on the attached propagation map #9.

With the proposed new Blue Ridge Towers tower 69173/RN167 Laymantown on Tower Road (along with the relocation sites RN165, RN166 and 67388, SHENTEL will be able to continue to provide contiguous wireless communications services along the Rt. 460/221 corridor and deliver a much improved customer communications experience that will serve the public health and safety needs to the community by providing increased wireless voice capabilities and improved high speed data service at this well-travelled corridor of the County with minimal visual impact on the surrounding area.

Please feel free to contact me if you need additional information.

Sincerely,

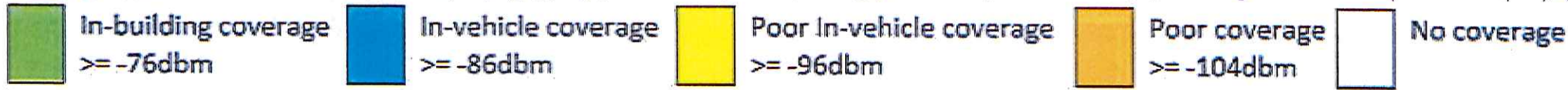


Andrew Ivers
SHENTEL

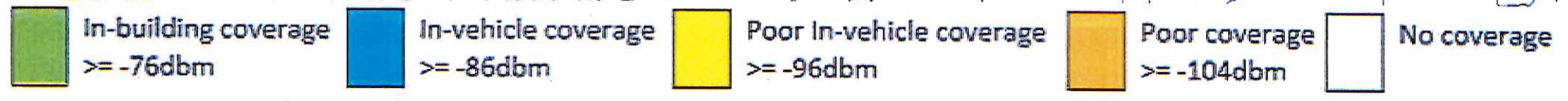
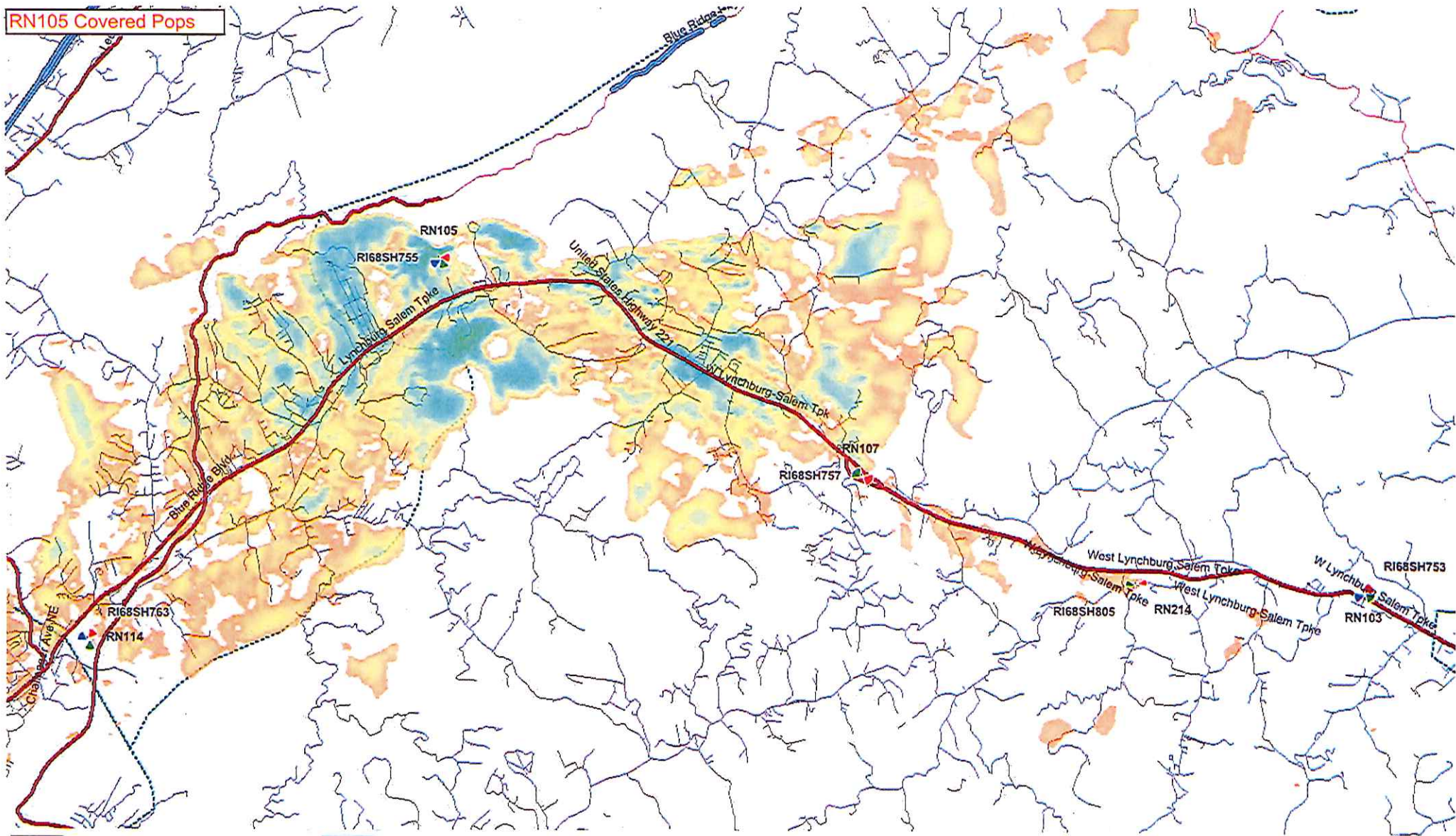
Manager, RF Engineering
540-294-0294

Andrew.Ivers@emp.shentel.com

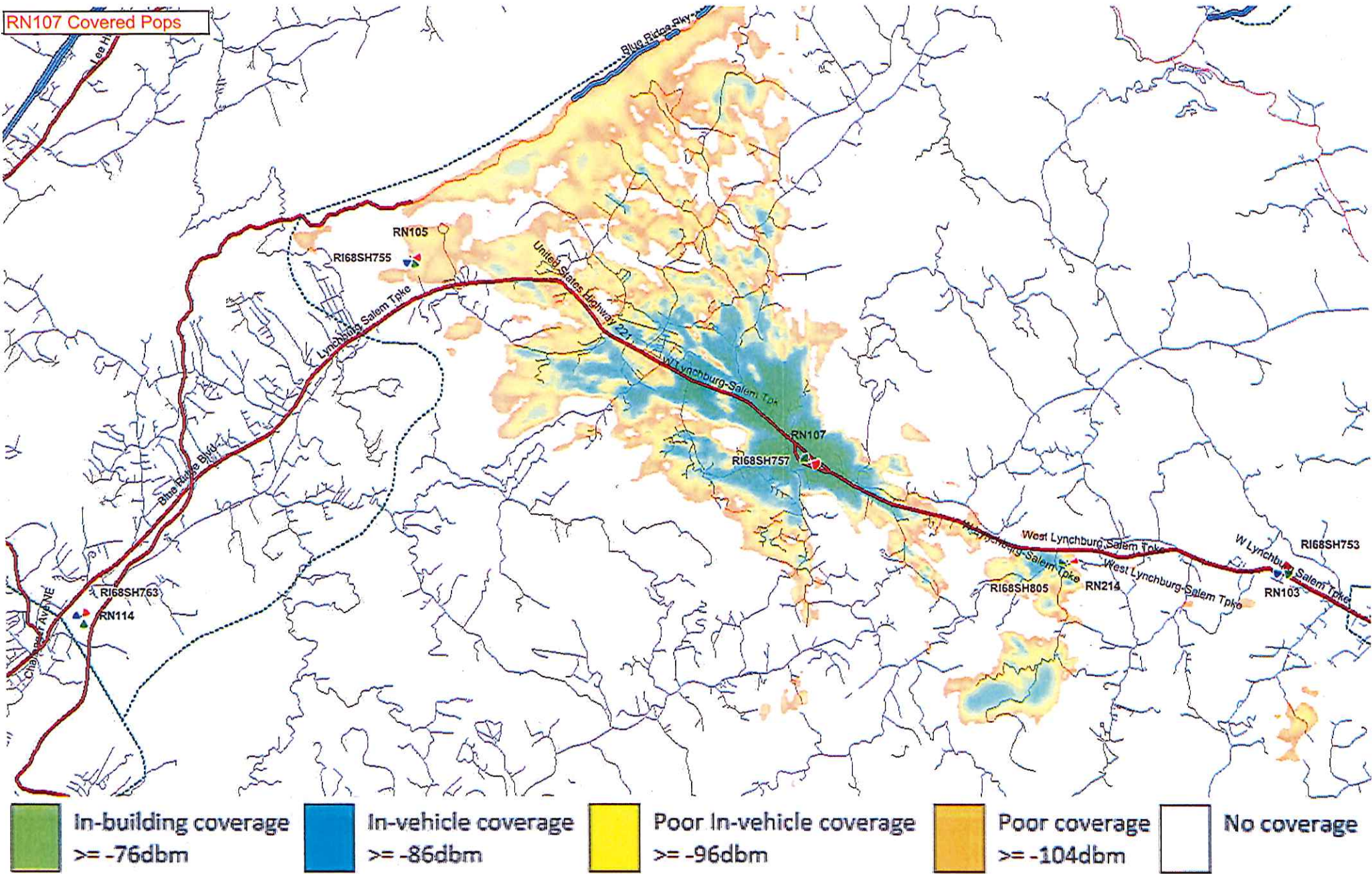
RN114 Covered Pops



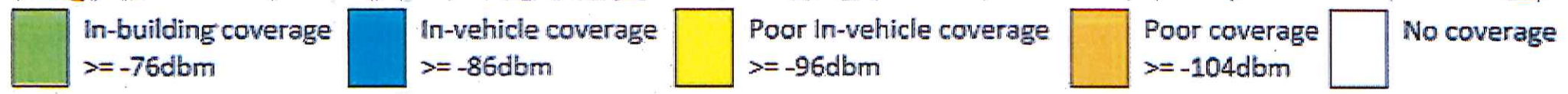
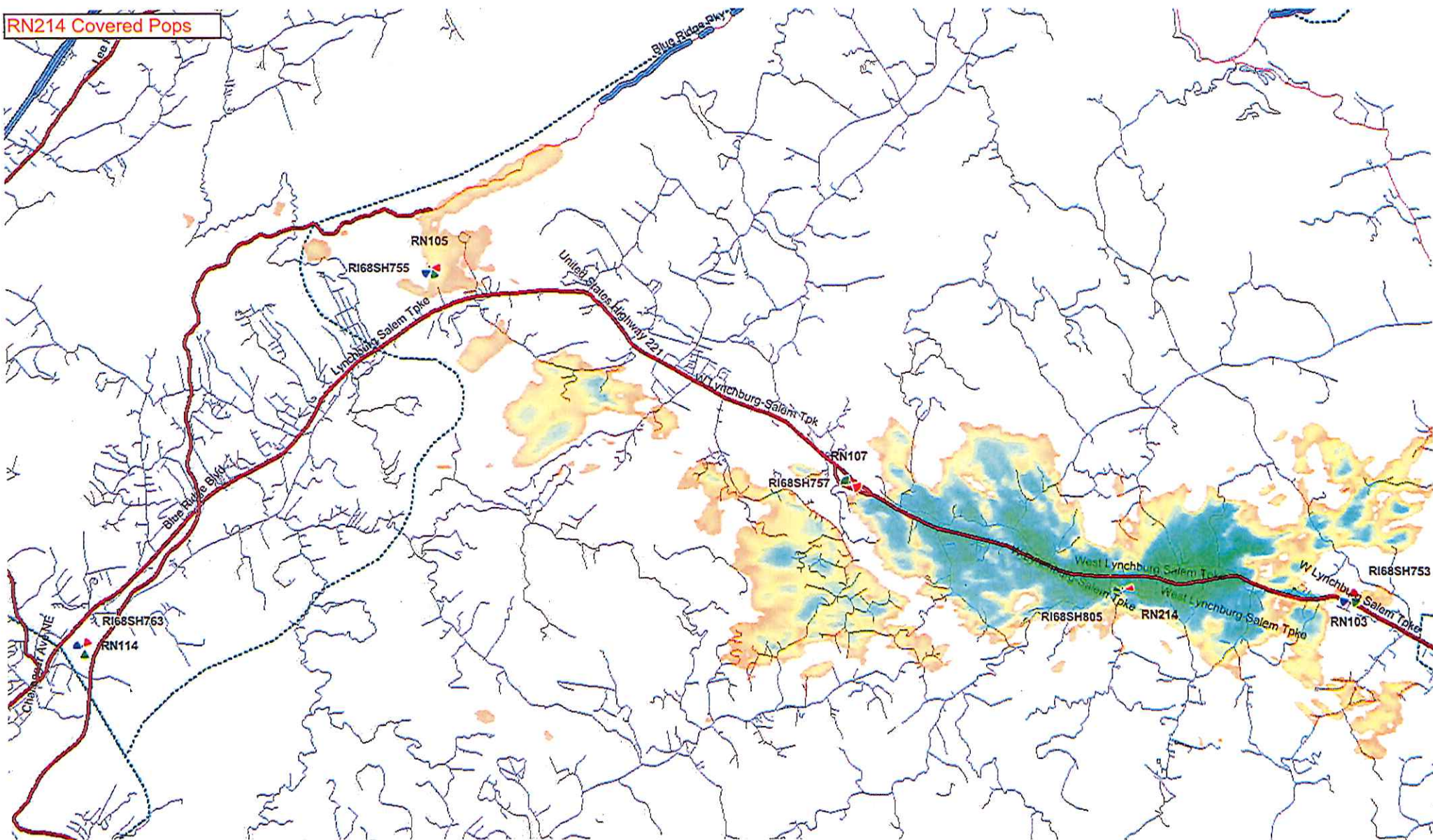
RN105 Covered Pops



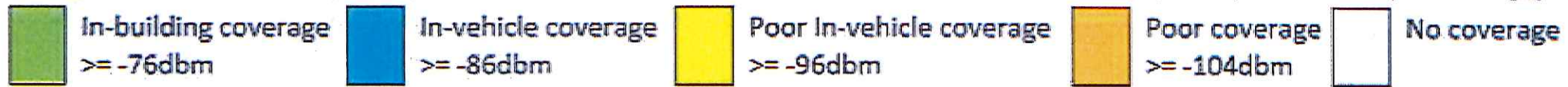
RN107 Covered Pops



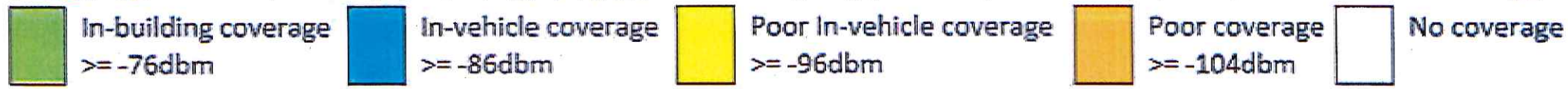
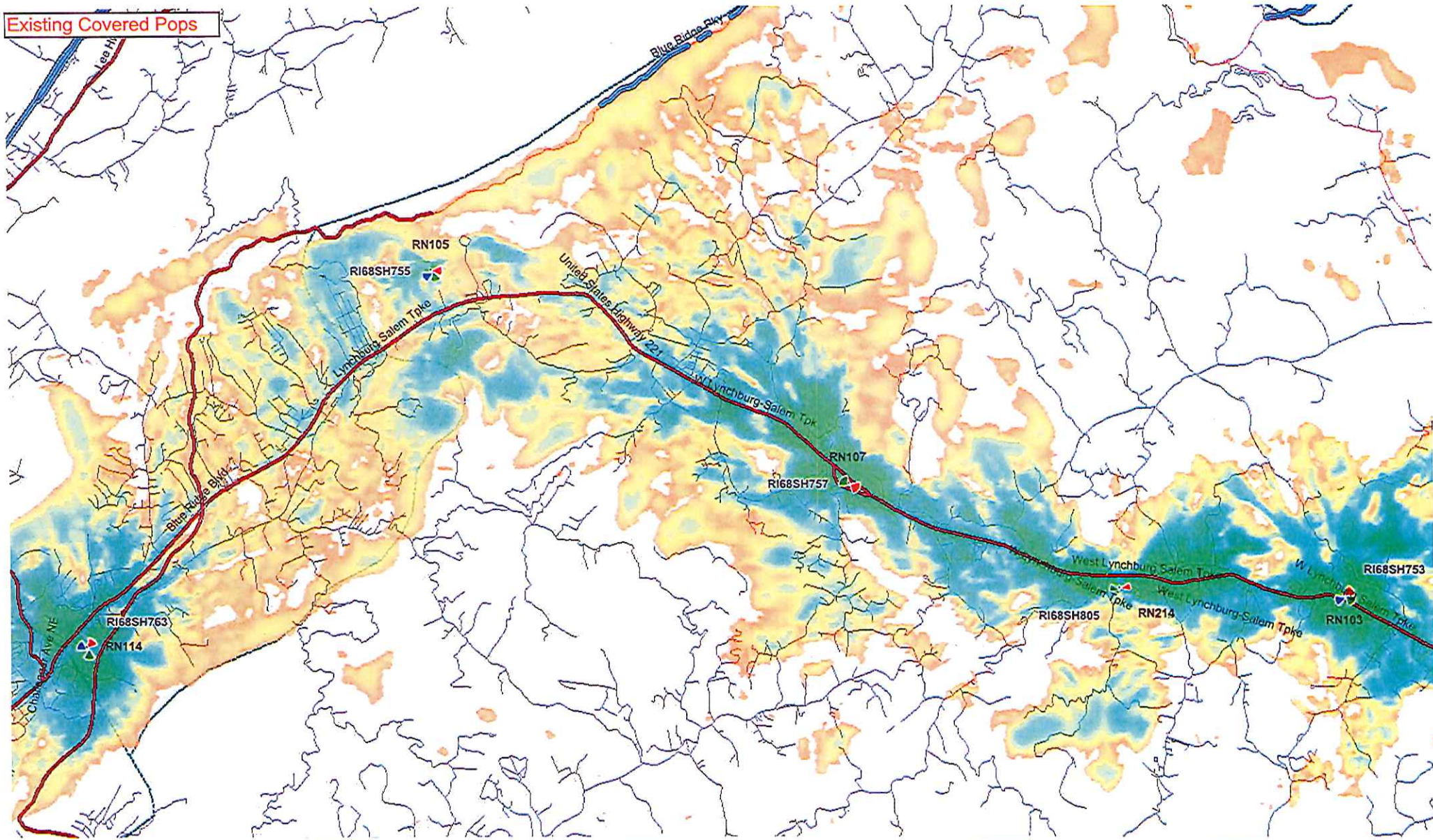
RN214 Covered Pops



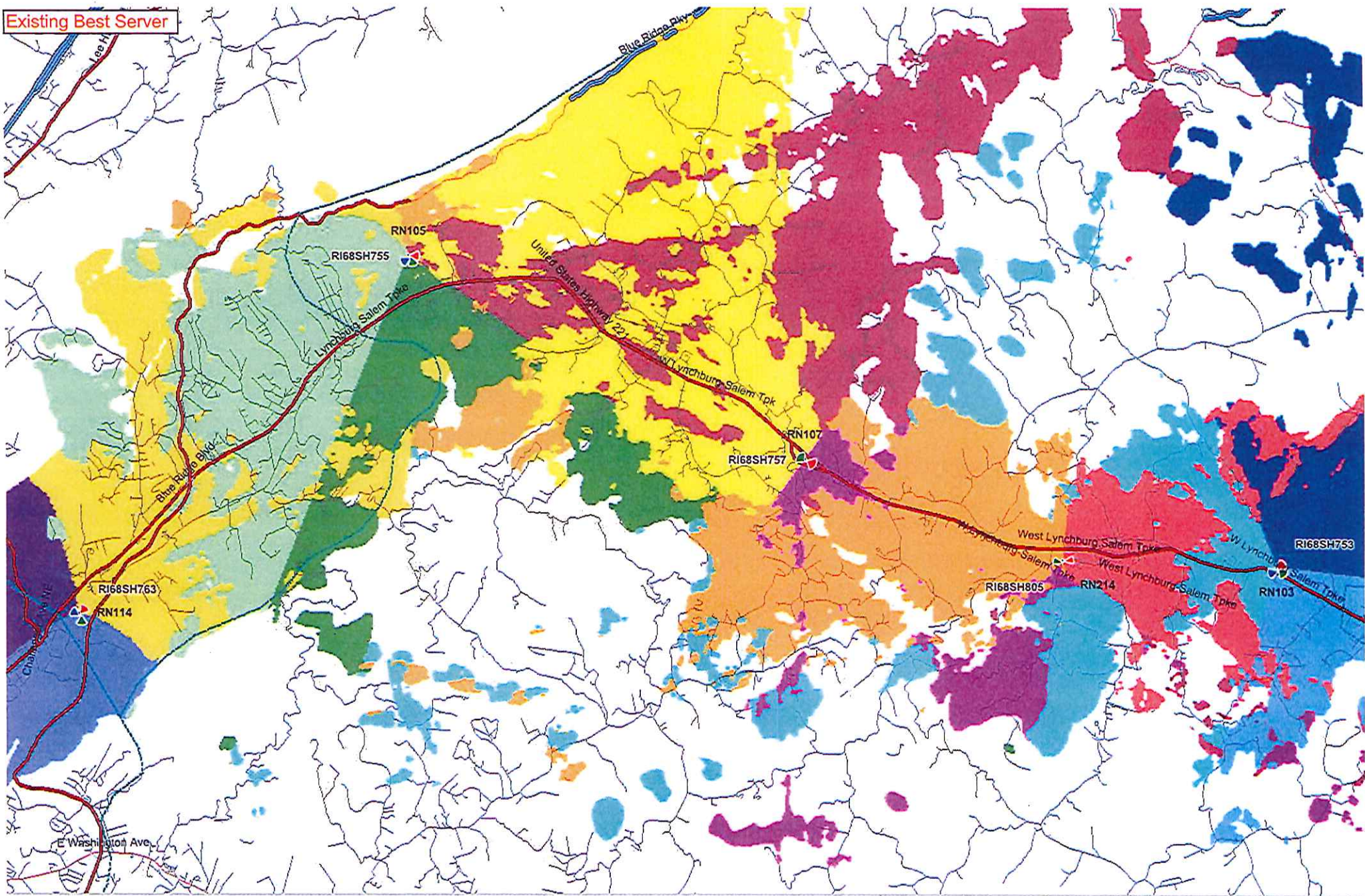
RN103 Covered Pops



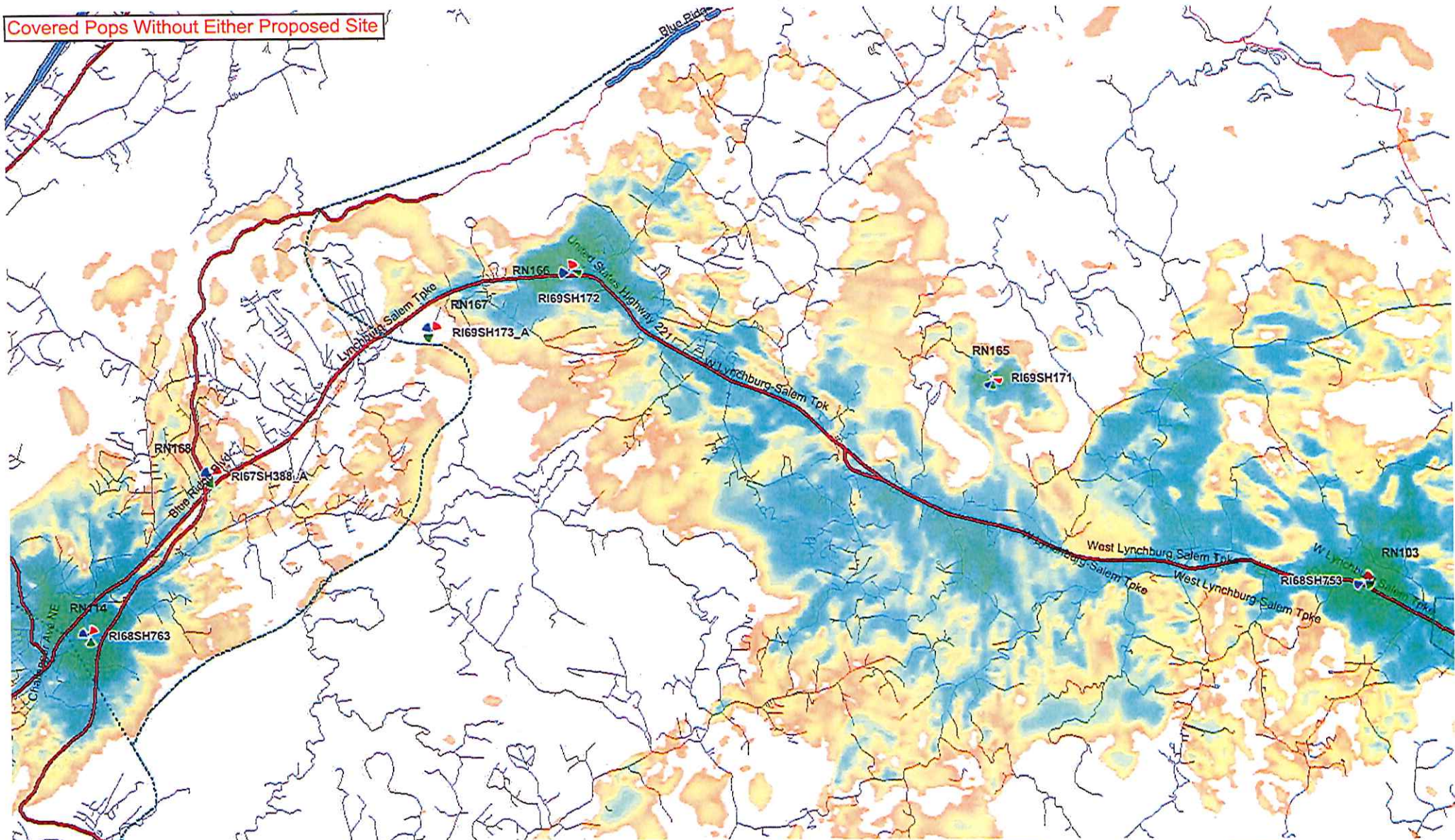
Existing Covered Pops








Existing Best Server

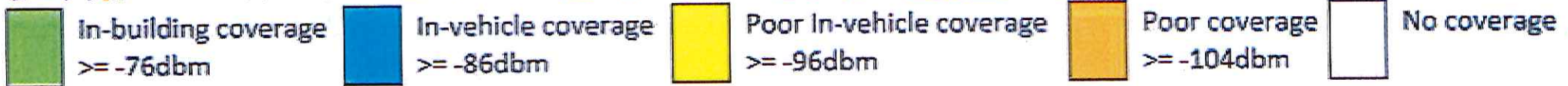
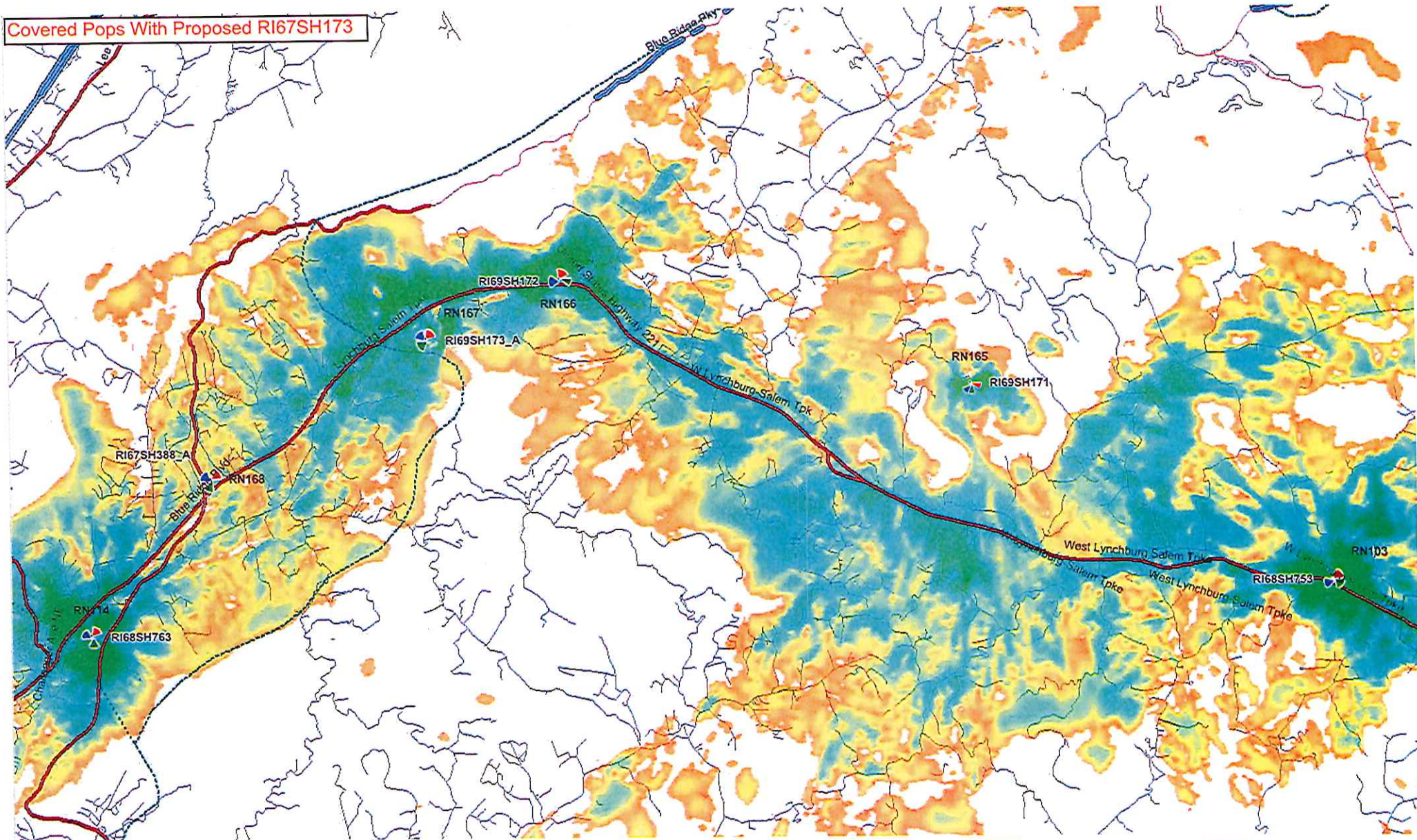


Covered Pops Without Either Proposed Site

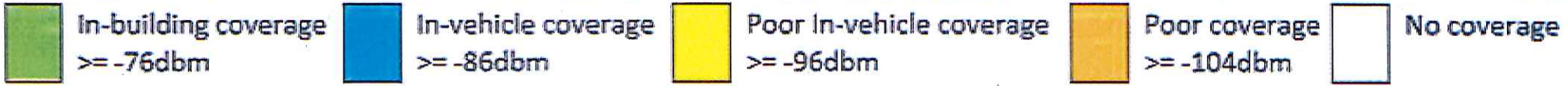
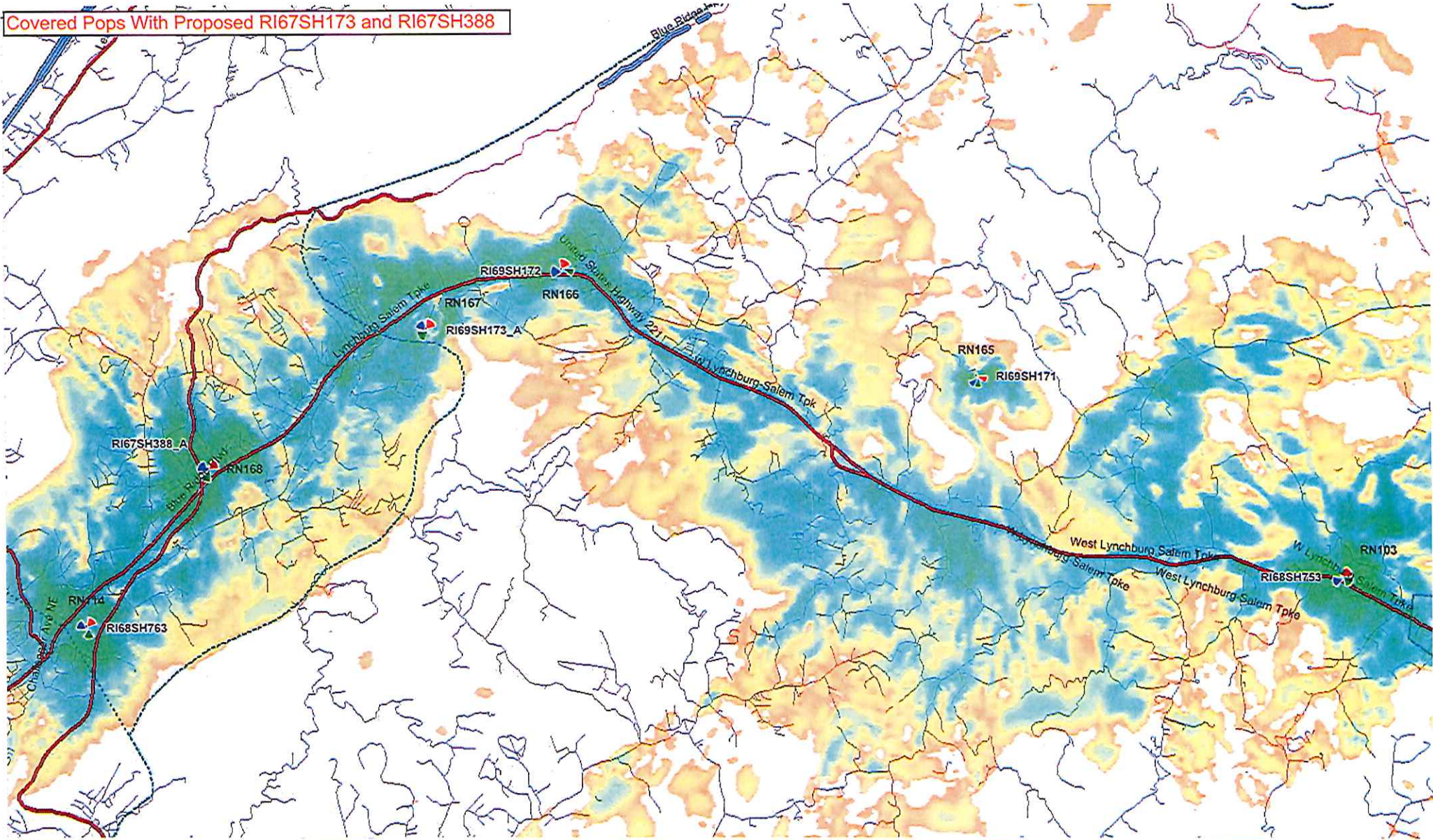


-  In-building coverage $\geq -76\text{dbm}$
-  In-vehicle coverage $\geq -86\text{dbm}$
-  Poor In-vehicle coverage $\geq -96\text{dbm}$
-  Poor coverage $\geq -104\text{dbm}$
-  No coverage

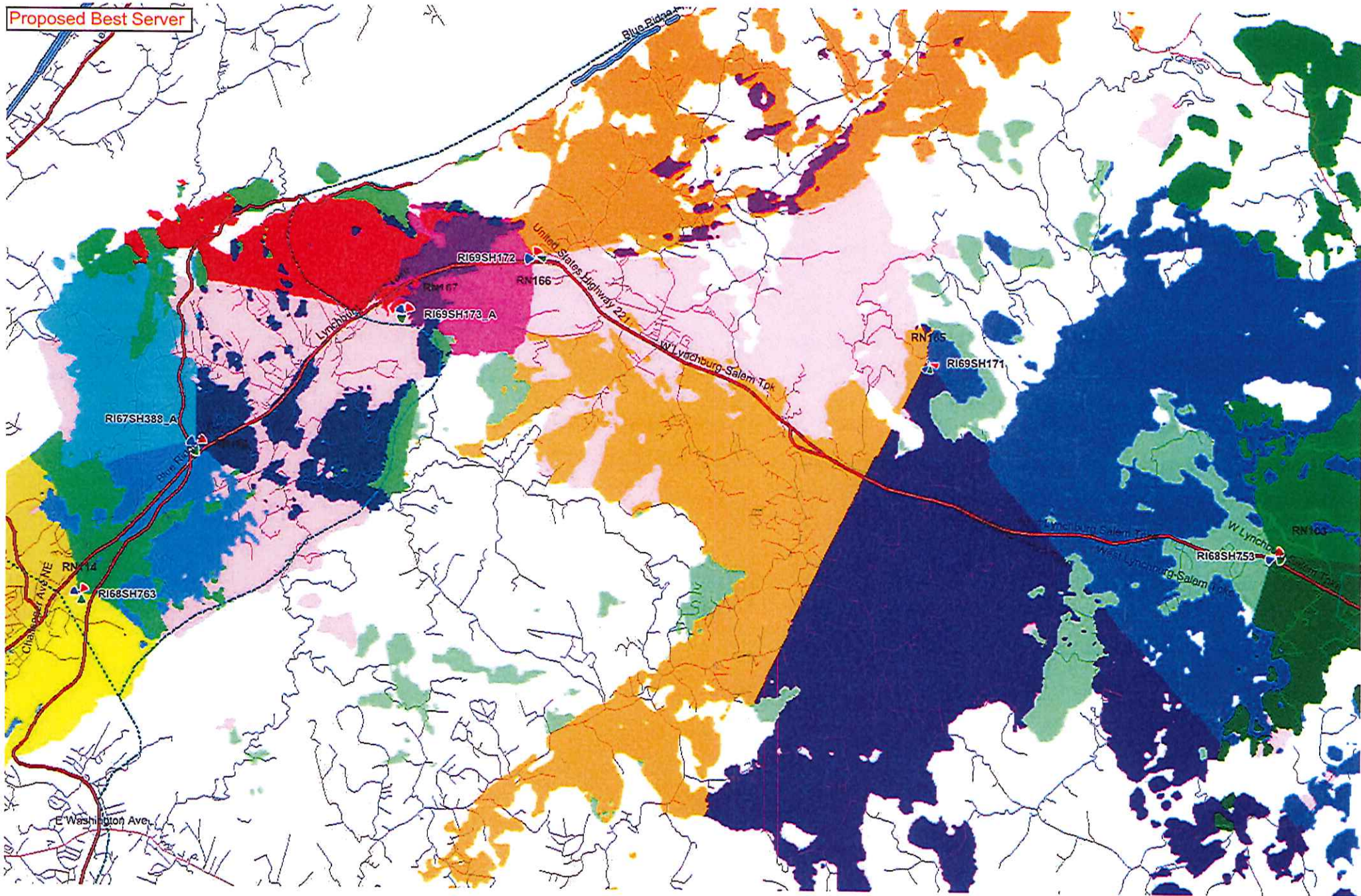
Covered Pops With Proposed RI67SH173



Covered Pops With Proposed RI67SH173 and RI67SH388



Proposed Best Server





**BEDFORD COUNTY, VA
TECHNICAL REVIEW**

SPECIAL USE PERMIT: SU170002

Proposed New "Class 4" 199-ft Monopole

**Blue Ridge Towers, Inc: Owner
ShenTel: Carrier**

At

**1407 Tower Road
Blue Ridge, VA 24064**

Site Name: Laymantown

Submitted by:

ATLANTIC TECHNOLOGY CONSULTANTS, INC.

A Member of The Atlantic Group of Companies

ATC PROJECT #: 1029-222

January 25, 2017



THE ATLANTIC GROUP
OF COMPANIES, INC.

EXECUTIVE SUMMARY

Blue Ridge Towers, Inc. (BRT) has made application to the County for the issuance of a Special Use Permit to allow construction of a new 195' tower with a 4' lightning rod for a total of 199' Class 4 Wireless Communication Facility (WCF) at 1407 Tower Road, Blue Ridge, VA 24064 on property owned by Blue Ridge Towers, Inc. with offices located at 1125 1st Street Roanoke, VA 24016.

Blue Ridge Towers, Inc. is a private tower facility development company that owns and operates communications tower facilities in the Commonwealth of Virginia. BRT works with other wireless carriers in the engineering of communications sites.

NTelos/ShenTel has planned to enhance their current coverage in the Blue Ridge/Villamont area and deploy Long Term Evolution (LTE) wireless services. This service is classified as "mobile broadband." This tower site along with other existing sites will bring wireless broadband to the Blue Ridge/Villamont corridor area.

BRT has made application to erect a 195' monopole with a 4' lightning rod to be a Class 4 Wireless Telecommunications Facility or "WCF" for this area. This tower will replace one (1) AEP co-location north on Quarry Road. This tower will work in concert with the Approved APEX 199' monopole tower known as "Blue Ridge" that is the hand-off site for the Montvale community.

This report outlines the specific areas of evaluation with respect to this proposal, and the recommendations regarding the site plans as presented. Supporting and clarifying evidence regarding the suitability of the proposed design in meeting the specified coverage goals is also included.

It is the opinion of this consultant that the Applicant's plans conform to all Federal, State, and County regulations regarding construction of telecommunications support structures, represents a sound design, and should therefore be granted approval as proposed.

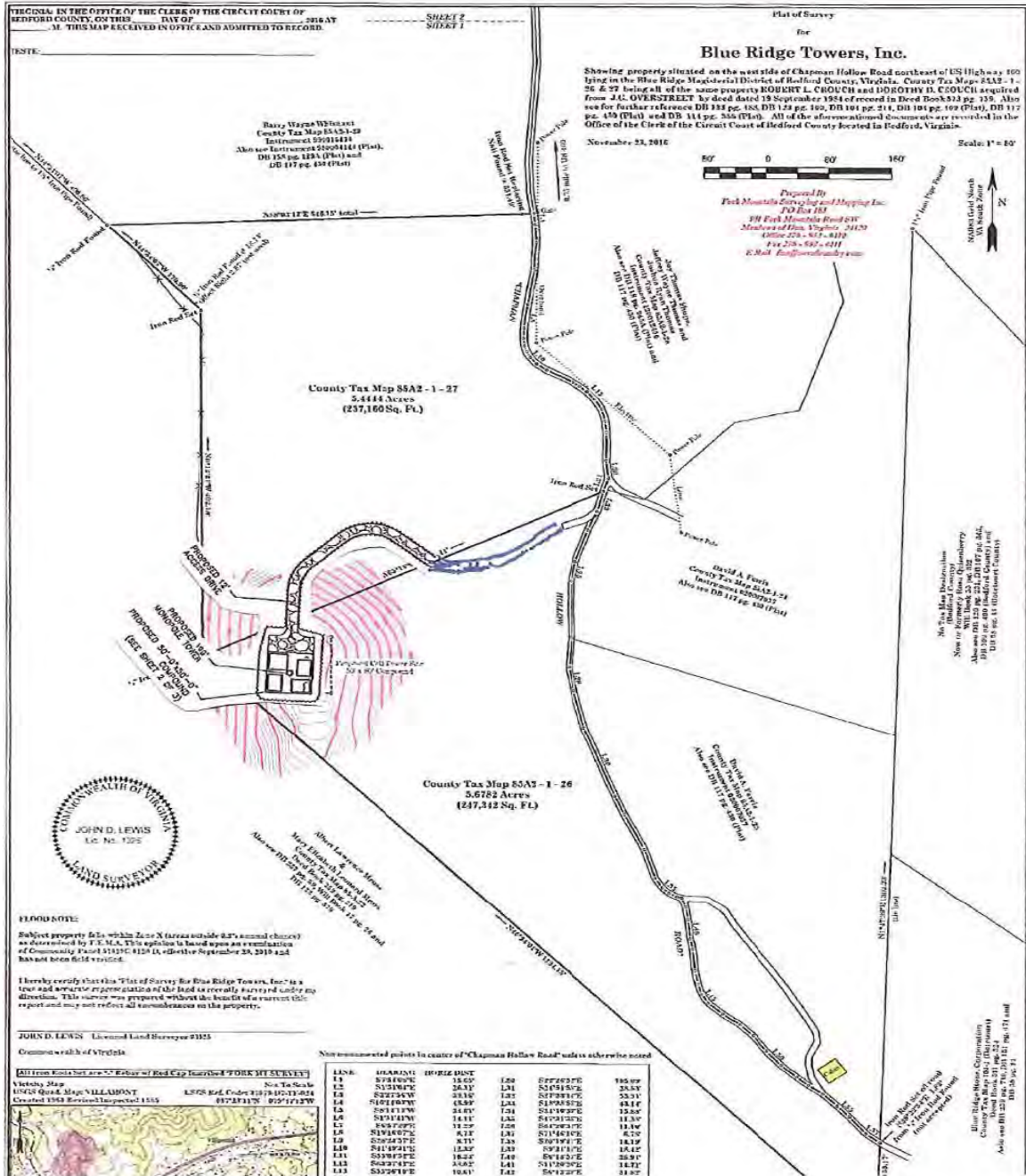


George N. Condyles, IV CPM
President and COO
Atlantic Technology Consultants, Inc.

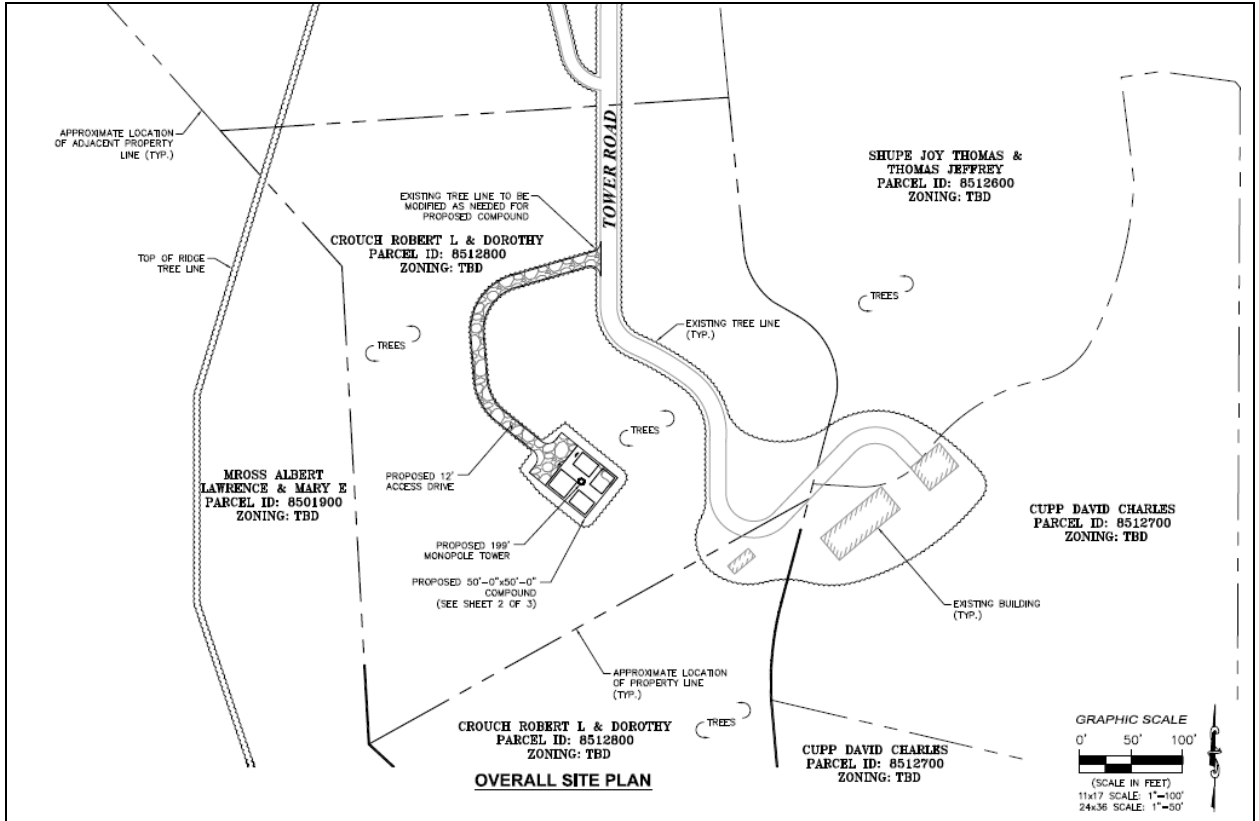
1.0 TECHNICAL

1.1 Sitting

The tower site is located on 11.1226 acres of combined property owned by Blue Ridge Towers, Inc. The parcel (5.4444 acres) located on Tax Map 85A2-1-27 is zoned AP. The second parcel (5.6782 acres) located on Tax Map 85A2-1-26 is also zoned AP. The combined ownership of both properties is 11.1226 acres.



Blue Ridge Towers, Inc. is a tower development company that has requested permission to build a Class 4 Wireless Communications Facility monopole at 1407 tower Road, Blue Ridge, VA. This site can be physically accessed from Rt. 460 unto Tower Road and will be approximately 1407' from this intersection at the coordinates 37-23-11.03 N and 79-47-11.92 W.



This new 199' WCF Class 4 monopole structure (195' of tower + 4' Lightning rod) will be constructed on a parcel of land that will require little land disturbance.

This project is part of the previously approved Special Use Permit SU160011 by Apex Towers in 2016 as an upgrade to the corridor between Roanoke and Bedford on Route 460.

ShenTel and NTelos have merged and the new company called "ShenTel Personal Communications System."

This Special Use application is a continuance of ShenTel upgrading their Long Term Evolution (LTE) network. The scope of ShenTel is to upgrade their network with new equipment that will provide for better voice and data services in this area. Because wireless data or Broadband is required for the subscribers, the existing voice and light data system is obsolete.

This application is for the building of a Class-4 199' monopole tower. This tower is a replacement tower for antennas and equipment located to the north on an AEP power line structure located at the end of Quarry Road. This tower is known as Tower Site BED-206.

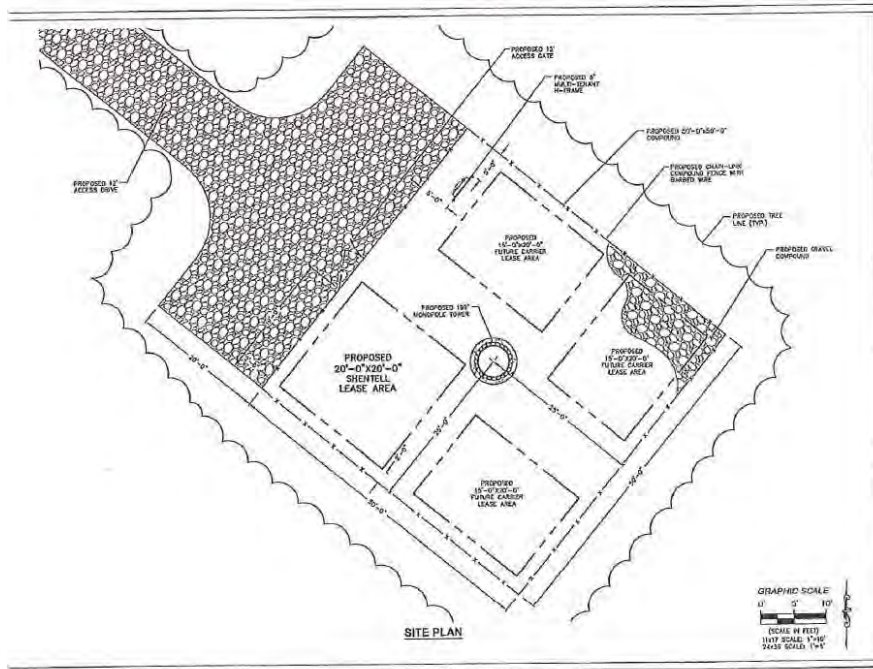


BED-206

AEP is not placing any more antennas or equipment on their current sites and in the near future all of the wireless carriers up on BED-206 will need to be removed.

This WCF is proposed to be a 70' x 50' area. The area is subdivided into three (3) smaller areas that are 15' x 20.' These areas will provide space for 3 additional carriers to place their ground equipment.

ShenTel will have a 20' x 20' area. This will accommodate equipment cabinets and power supply cabinets with a standby generator.



Proposed Compound

Setbacks:

Bedford County's minimum setback requirement noted in Section 30-87-3 "Wireless Communication" (A) "General Standards" 2 are as follows:

"The minimum setback requirement from the base of the tower to any residential structure on an adjoining lot shall be at least equal to 40 percent of the height of the tower, measured from the closest structural member of the tower (excluding guy lines)."

40% of the height of the proposed 199 ft. tower is 80 ft. The closest property line is 100 ft. The closest residential structure on an adjoining lot is approximately 1,200 ft. ± from the tower, which meets the County's minimum setback requirement for Wireless Communications Towers

Landscape Buffer and Screening:

The Applicant has not submitted a Landscape Plan with their site drawings.

The Consultant made a field visit and the area is dense woods and the proposed landscaping will supplement this.

The Applicant is requesting a waiver/exemption to the Landscaping requirement in accordance with Ordinance 30-78-6(B) 6 because of the thick dense forest surrounding this site.

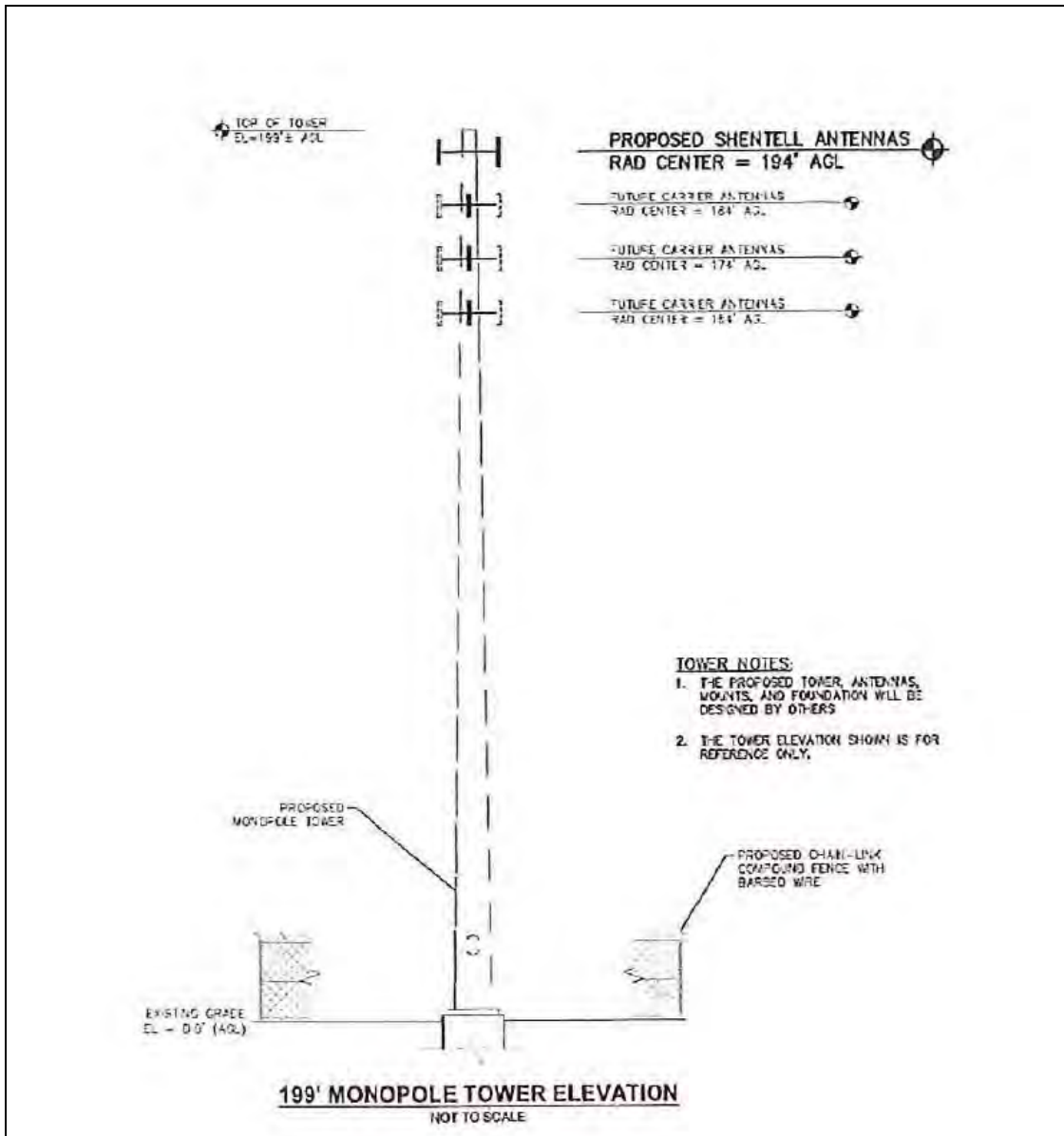
Co-location:

The consultant believes that there are no sites in the immediate area and that this site would add to the ShenTel network. The Consultant believes that the Applicant has met this requirement.

1.2 Structural

The proposed 195' monopole tower is designed with the ability to support equipment operated by ShenTel and three (3) additional Land Mobile Carriers. The Applicant proposes the height of 195' AGL due to the connection of the horizontal alignment with the various other tower sites.

Once this project is granted approval, the Applicant will supply this Structural analysis and engineered stamped drawings in the Building Permit phase.



A structural analysis takes into account the structural loading of the tower's own weight, that of the proposed appurtenances, and that of various iterations of wind, ice, and other environmental loading.

This model of tower is designed to support appurtenances for multiple carriers and remain within EIA/TIA-222-G structural guidelines (the accepted industry standard) for structures, which mandates the ability to withstand the structural loading of all appurtenances, plus additional wind and ice loading.

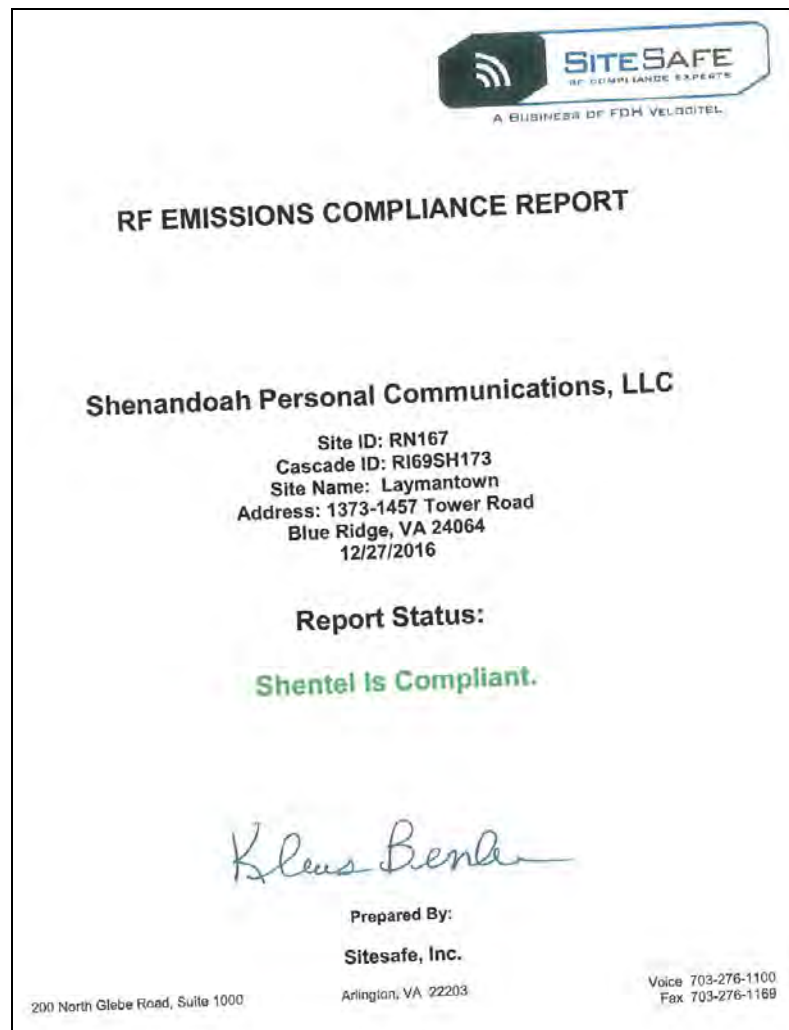
Furthermore, in conformance with County ordinance section 30-78, work at this site will remain in compliance with ALL federal, state, and local building codes and regulations if work proceeds as outlined in the supplied site plans.

1.3 RF Exposure

FCC bulletin OET-65 provides guidance for a licensee proposing to construct a telecommunications support structure in calculation of RF exposure limitations, including analysis of the cumulative effect of all transmitters on the structure.

Access to the tower should be restricted to communication industry professionals and approved contractor personnel trained in radio-frequency safety. The analysis addresses exposure levels at two meters above ground level and does not address exposure levels on the tower, or in the immediate proximity of the antennas.

In a study dated December 26, 2016 performed by SiteSafe, Inc. by Mr. Klaus Bender P.E. this site was evaluated as "Compliant."



Appropriate steps, including warning signage at the site, must be taken to protect both the general public and site workers from unsafe RF exposure in accordance

with federal guidelines. RF site exposure warning signage shall be placed at this site in conformance with FCC regulations and industry standards.

1.4 Grounding

Grounding of all structures and equipment at an RF site is critically important to the safety of both personnel and equipment at the site. Even a single component not meeting this standard places all other site components at risk for substantial damage. All structures and equipment at the site should maintain a ground potential difference of less than 5 ohms.

The Applicant has addressed these issues during the Building Permit phase.

1.5 General Safety

As indicated in the proposed site plans, the site compound will be surrounded by a six (6) ft. chain-link security fence with three strands of barbed wire on top to prevent unauthorized access to the WCF-tower site.

It is proposed that signage placed at this site will include RF exposure warning signage, site identification information, and routine and emergency contact information.

The Tower Plans should include an OSHA approved style of fall prevention cable as part of the specifications.

1.6 Interference

The consultant sees no evidence of interference by or with this site after a general evaluation of the surrounding transmitter sites.

2.0 PROCEDURAL

2.1 FAA Study

The Applicant submitted TOWAIR Determination Results performed using the ASR online system on the FCC website to determine if registration is required. The TOWAIR determination results were as follows:

TOWAIR Determination Results

*** NOTICE ***

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

DETERMINATION Results

Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.

Your Specifications

NAD83 Coordinates

Latitude	37-23-11.0 north
Longitude	079-47-11.9 west

Measurements (Meters)

Overall Structure Height (AGL)	60.7
Support Structure Height (AGL)	60.7
Site Elevation (AMSL)	477

Structure Type

MTOWER - Monopole

Tower Construction Notifications

Notify Tribes and Historic Preservation Officers of your plans to build a tower.

The TOWAIR Study has determined that this structure would not be a hazard to Air Navigation. No Lighting is required.

2.2 FCC Antenna Site Registrations

This site is not required to have an antenna site registration number.

2.3 Environmental Impacts

The National Environmental Policy Act of 1969 (NEPA), delineated in Title 47 of the Code of Federal Regulations, Part 1, Subpart I, sections 1.1301-1.1319, requires federal agencies to incorporate environmental considerations into their decision-making process when evaluating new construction proposals. As a licensing agency, the Federal Communication Commission (FCC) requires all licensees to consider the potential environmental effects from their construction of antenna support structures, and to disclose those effects in an Environmental Assessment (EA) that must be filed with the FCC for review.

A Phase I Environmental Site Assessment & NEPA Review was not submitted.

The consultant has visited this site and sees no obvious Environmental impact. The Applicant will submit this document with VDEQ to the Planning Department prior to building Permit issuance for review and commend.

2.4 Historic Impacts

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires that State Historic Preservation Offices (SHPO) and the President's Advisory Council on Historic Preservation be given a reasonable opportunity to comment on all undertakings with the potential to affect historic properties. Prior to construction, the licensee is required to submit to the SHPO a detailed description of the project, a listing of local historic resources, and a discussion of any measures being undertaken to mitigate impacts (if any) on historic resources. Upon receipt, the SHPO has thirty (30) days to review and respond to those submissions. All agencies with authority to permit construction are required to consider the SHPO response in its decision making process with respect to new construction applications.

The consultant has visited this site and sees no obvious Environmental impact. The Applicant will submit this document with VDHR to the Planning Department prior to building Permit issuance for review and commend.

2.5 Supporting Documentation

ShenTel has submitted propagation maps that support their justification to construct a new 199-ft monopole at the proposed Laymantown & Blue Ridge Site.

In summary, ShenTel is “re-designing” their coverage along the Lynchburg-Salem Turnpike to enhance voice and data coverage and to upgrade equipment for Long Term Evolution Services.

In a letter dated December 16, 2016 from Andrew Ivers, Manager of RF Engineering, ShenTel is redesigning the complete corridor and will be replacing several smaller sites with three taller sites. He states:

Currently SHENTEL has coverage along this portion of Rt. 460/221 from the Blue Ridge Parkway to the Thaxton area. SHENTEL has (3) existing sites described on the propagation maps attached as RN105 Boxley AEP, RN107 McMillan and RN214 Thaxton AEP. RN105 and RN214 are existing AEP high voltage transmission towers that SHENTEL is collocated on. Due to the fact they are high voltage towers, AEP will no longer allow us to upgrade them, therefore SHENTEL will need to remove our equipment from the AEP structures and find alternate locations for these sites. RN107 is an existing wood pole structure that is owned by SHENTEL. This wood pole is not structurally capable to accommodate an upgrade for 4G/LTE equipment and will be removed. (See propagation maps #1-7)

Due to our need to relocate from the AEP high voltage structures (RN105 and RN214), SHENTEL had to redesign the coverage of this area along Rt. 460/221. RN105 Boxley AEP is a significant loss due to the fact it provided excellent coverage along Rt. 460/221 at the “curve” east of Villamont. SHENTEL was unable to find an adequate single site solution to replace RN105 Boxley AEP, therefore a two site solution was required. As shown on propagation map #8, the loss of RN105 Boxley AEP leaves a significant gap in coverage west of the curve at Villamont to the Blue Ridge Parkway. The site proposed by Blue Ridge Towers located at the end of Tower Road on the south side of Rt. 460/221, will provide a portion of the needed coverage for SHENTEL that was eliminated with the removal of RN105 Boxley AEP. The site on Tower Road is depicted as 69173/RN167 Laymantown on the attached propagation map #9. A second site is proposed by SHENTEL in conjunction with Blue Ridge Towers located in Botetourt County northeast of the intersection of Rt. 460/221 and the Blue Ridge Parkway. This site is depicted as 67388 Stanley Abbot on the attached propagation map #9.

The Applicant wishes to remove three (3) existing small sites and replace with one WCF at 199’ AGL.

The Consultant “concur” with this Application and notes that the Applicant provided compelling information to makes his case. The information was accurate and complete.

The Applicant needs to provide photo simulations of the project.

3.0 RECOMMENDATIONS

This application represents an appreciable intent on the part of the Applicant to conform to all applicable federal, state, and local regulations, accepted industry practices, and specific County ordinances regarding construction of new telecommunications towers.

The consultant recommends:

1. Completion of the NEPA Study with comments from VDEQ.
2. Completion of Section 106 Study with comments from VDHR.
3. Waiver of Landscaping Plan.
4. Photo Simulations of proposed Tower.

If these conditions will be agreed upon by the Applicant, the recommendation of this Consultant that the request for issuance of a Special Use Permit to allow construction of this tower as proposed be considered for approval.

In closing, this consultant remains available to address any comments or questions, which may arise following review of this report. Any interested party with such comments or questions may feel free to contact this firm, which remains committed to delivering independent, objective, unbiased, and thorough consulting services.

Respectfully submitted,



George N. Condyles, IV, CPM
President & COO

Sec. 30-32. - AP Agricultural/rural preserve district.

Sec. 30-32-1. Purpose.

The AP, agricultural/rural preserve district consists of land primarily used as farmland, woodlands, and widely scattered residential development located within the rural service area. Also found in these areas are lands with steep slopes, and groundwater recharge areas. Many of the county's unique natural and scenic resources are found in this type of district. The purpose of the AP district is to maintain areas essentially in their rural state, and attempt to protect sensitive and unique land resources from degradation. This may be accomplished by maintaining the existing agricultural lands and preventing the encroachment of incompatible land uses. Nonfarm residents should recognize that they are located in an agricultural environment where the right-to-farm has been established as county policy. This district is also intended to minimize the demand for unanticipated public improvements and services, such as public sewer and water, by reducing development densities and discouraging large scale development.

Sec. 30-32-2. Permitted uses.

Permitted uses shall be as listed in section 30-79.

Sec. 30-32-3. Site development regulations.

General standards. For additional, modified or more stringent standards for specific uses, see article IV, "Use and Design Standards".

(a) *Minimum lot requirements:*

(1) All lots, regardless of sewer and water provisions:

- a. Area: One and one-half (1.5) acres (sixty-five thousand three hundred forty (65,340) square feet), with the exception that the minimum area for a family subdivision lot as defined and regulated by this ordinance shall be one (1) acre (forty-three thousand five hundred sixty (43,560) square feet).
- b. Frontage: One hundred fifty (150) feet on a publicly owned and maintained street.

(b) *Minimum setback requirements:*

(1) Front yard:

- a. Principal structures: Thirty-five (35) feet.
- b. Accessory structures: Thirty-five (35) feet or behind the front building line, whichever distance is less.

(2) Side yard:

- a. Principal structures: Ten (10) feet.
- b. Accessory structures: Ten (10) feet when between front and rear building lines and three (3) feet when behind the rear building line and ten (10) feet when in front of the front building line.

(3) Rear yard:

- a. Principal structures: Twenty-five (25) feet.
- b. Accessory structures: Three (3) feet.

(4) Where a lot fronts on more than one (1) street, the front yard setbacks shall apply to all streets.

(c) *Maximum height of structures:*

- (1) All structures (except silos): Forty-five (45) feet.

(2) Silos: One hundred (100) feet.

(d) *Maximum coverage:*

(1) Building coverage: Thirty (30) percent of the total lot area.

(2) Lot coverage: Fifty (50) percent of the total lot area.

(e) *Maximum subdivisions of a single tract allowed:*

(1) *Traditional lot division.* Up to five (5) separate lots, provided each lot meets the requirements of this section. This five (5) lot maximum shall exclude a maximum of ten (10) family subdivision lots and shall exclude agricultural subdivision lots as both are defined and regulated by this ordinance and the provisions of the Bedford County Subdivision Ordinance. The maximum of five (5) lots shall include any further subdivision of these newly subdivided lots. The subdivision of more than five (5) lots may be permitted pursuant to the cluster development option as provided for in this subsection, or shall otherwise require a rezoning as set forth in article I.

(2) *Cluster development option.*

The purpose of the cluster development option is to provide flexibility in site design in order to encourage natural resource and open space preservation, preservation of agriculturally zoned land for agricultural purposes, the cost efficient provision of infrastructure, and allow appropriate design solutions for unique site conditions. Use of the cluster development option is voluntary.

The cluster development option permits additional lots in return for providing permanent open space within the development, and a more compact, cost-effective network of streets and utilities. Except for modifications to the lot and building requirements defined below, all other provisions of the AP district pertain to the cluster development option.

The cluster development option may be used on any legally divisible parcel in the AP district. All cluster developments must legally and permanently subdivide all lots at the time of initial development application.

a. Maximum number of residential lots: Seven (7) lots.

b. Minimum residential lot size: One (1) acre.

c. Maximum residential lot size: Two (2) acres.

d. Open space provisions: A minimum area of twenty (20) contiguous acres within the development shall be provided as permanent open space. Open space may include active or passive recreational uses, agricultural and silviculture uses, and may be held in either public or private ownership. Such dedication and ownership of the open space must be submitted to and approved by the zoning administrator.

Open space established for purposes of meeting the requirements of this cluster development provision shall not be included as part of any residential lot, and shall be restricted from any future development by the establishment of permanent conservation easements held in perpetuity by a public or private entity acceptable to the county. Accessory structures such as picnic shelters, ball fields, nature trails and other similar recreational amenities shall be permitted within the open space. However, other impervious surfaces and non-agricultural buildings, exclusive of those listed above, are prohibited on the open space.

e. Maximum number of clusters: One (1) per parcel.

f. Clustering of permitted lots between parent parcels: A landowner with multiple contiguous parent parcels may cluster the number of permitted lots from any one parent parcel to any other contiguous parent parcel provided the landowner merges

the two (2) contiguous parent parcels into one (1) parcel by vacating the boundary line and all other lot requirements under this subsection are met.

- g. Minimum road frontage width: Seventy-five (75) feet at the edge of the right-of-way.
- h. Cluster design standards:
 - 1. The purpose of the cluster development option is to minimize the loss of productive agricultural land; and maintain the visual quality of the county's agricultural landscape.
 - 2. All plans shall minimize the use of tillable soils for development and maximize the use of sloped and forested areas, which are otherwise less productive for agricultural uses.
 - 3. The design and location of the cluster shall minimize the impacts to neighboring agricultural operations and hunting so as not to restrict the rights of adjacent landowners.
 - 4. The applicant shall show that the agricultural land remaining after subdivision is suitable for a commercially viable agricultural enterprise.
 - 5. Clusters shall be located so as to leave large blocks of open agricultural land throughout the agricultural zoning district.
 - 6. Access to the cluster shall be from a single internal road.
 - 7. The appearance of a cluster from an external public road shall be that of a grouping of farm buildings in that they are clustered together and obviously a use subsidiary to the prime use of the land - agriculture.
 - 8. Landscaping that defines the access road along its entire length shall be provided.
 - 9. The cluster shall be planned and designed as a single unit with careful consideration given to the relationship of structures to one another, landscaping, buffering, screening, views, light and air, and internal circulation.
 - 10. Strong provision should be made for walking as opposed to vehicular connections within the cluster.
 - 11. Street widths, alignments, and parking shall be scaled to the size of the cluster.
 - 12. The streetscape of the cluster shall be designed in detail to avoid repetitious setbacks, driveways, elevations, and landscaping.
 - 13. Where a cluster incorporates an existing historic building, building heights, exterior features, and building arrangement shall be harmonious with the historic structure. Street widths, alignments, and parking shall be scaled to the size of the cluster.
 - 14. Any deed restrictions shall include language recognizing that the lots are in an agricultural area and refer to the right to farm law.

(Ord. of 2-26-2001, App. A; Ord. of 9-8-2003; Ord. No. O-0707-156, 7-9-2007; Ord. of 6-10-2013, pt. V)

Sec. 30-87-3. Wireless communication facility (WCF), Class 1, Class 2, Class 3 and Class 4.

- (a) *Intent:* To provide for the siting of wireless communication facilities (WCFs) by establishing guidelines for the construction and modification of towers and associated equipment in accord with the strategic plan for commercial wireless telecommunication facilities, a component of the comprehensive plan. The established guidelines are designed to reduce the adverse impacts and encourage stealth techniques through the placement of towers in locations with appropriate vegetative cover or through alternative tower designs.
- (b) *For purposes of this section:*
 - (1) A "distributed antenna system (DAS)" is a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure.
 - (2) A "stealth structure" is any structure designed to conceal or disguise antenna structures and antennas associated with wireless communication facilities including but not limited to, tree poles, flag poles, silos and "lookout" towers.
- (c) *General standards:*
 - (1) All WCFs must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the county, state or federal government with the authority to regulate WCFs. If regulations change and WCFs are required to comply with such changes, the owners of the WCFs governed by this ordinance shall bring WCF(s) into compliance within six (6) months of the effective date of such change in standards or regulations. Failure to comply shall constitute grounds for the removal of the WCFs at the owner's expense.
 - (2) WCFs shall be considered either a principal or accessory use.
 - (3) WCFs shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and designs chosen must cause the least disturbance to the surrounding view.
 - (4) WCFs shall meet the following aesthetic requirements:
 - a. WCFs shall, subject to any applicable FAA standard, be of a neutral color and subject to staff approval so as to reduce visual obtrusiveness. The appearance shall be maintained in the approved neutral color.
 - b. The design of buildings and related structures within the WCF compound area shall, to the extent possible, use materials and colors that will blend into the natural setting and surrounding trees.
 - c. If a WCF is installed on a structure other than a tower (i.e., water tower, light pole, etc.), the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
 - (5) The county reserves the right to employ the services of a wireless telecommunications consultant to review all WCF applications. All applicable costs will be the responsibility of the applicant.
 - (6) WCFs shall meet the following setback requirements:
 - a. The minimum setback requirement from the base of the tower to any primary or occupied structure on the subject parcel shall be at least equal to forty (40) percent of the height of the tower, measured from the closest structural member of the tower. Guy lines shall be exempt from the minimum setback requirement in side and rear yards for the respective zoning district, but shall comply with the setback requirements for the front yard.
 - b. Certification shall be provided that the tower will not fall onto any adjoining property in the event of failure or collapse of the structure.

- c. For any building or structure associated with a WCF, the minimum setback from any property line abutting a road right-of-way shall be fifty (50) feet and in all other instances shall be no less than twenty-five (25) feet.
 - d. More than one (1) tower shall be permitted provided all setback requirements have been met.
- (7) Buildings and support equipment associated with WCFs shall comply with the following requirements:
- a. The cabinet or structure shall not be more than twelve (12) feet in height. In addition, for buildings and structures which are less than sixty-five (65) feet in height, the related unmanned equipment structure shall be located on the ground and shall not be located on the roof of the structure.
 - b. If the equipment structure is located on the roof of a building, the area of the equipment structure and other equipment and structures shall not occupy more than ten (10) percent of the roof area.
 - c. Equipment storage buildings or cabinets shall comply with all applicable building codes.
- (8) No advertisement signs shall be allowed on a WCF. Signs of no more than one (1) square foot containing ownership, operational and name plate data shall be allowed.
- (9) WCF applications in a PCTDA location as defined in the strategic plan for commercial wireless telecommunications facilities, a component of the comprehensive plan, shall not be exempt from administrative approval or obtaining special use permit approval. Such application will be classified based on the height of the proposed WCF (Class 1-4) and subject to the permitted use table requirements by district.
- (d) *Uses by right:* The uses listed in this section are deemed to be uses by right subject to administrative approval. The following provisions shall govern the issuance of approvals for WCFs:
- (1) WCFs located on property owned, leased, or otherwise controlled by Bedford County provided a license or lease authorizing such WCF(s) has been approved by Bedford County or collocated on an existing WCF(s).
 - (2) The collocation of WCFs on existing WCFs. The collocation must be accomplished in a manner consistent with the following:
 - a. The WCF which is modified or reconstructed to accommodate the collocation of an additional WCF shall be of the same WCF type as the existing WCF(s).
 - b. A WCF which is being rebuilt to accommodate the collocation of an additional WCF may be moved on-site within fifty (50) feet of its existing location. Once the WCF is rebuilt to accommodate the collocation, only one (1) WCF may remain on the site.
 - (3) Installing a cable microcell network (distributed antenna system or DAS) through the use of multiple low-powered transmitters/receivers attached to existing wireless systems, such as conventional cable or telephone wires, or similar technology that does not require the use of WCFs.
 - (4) WCF upgrades/equipment maintenance of existing wireless provider on WCF.
- (e) *Special application requirements for uses by right:*
- (1) Sufficient copies of the wireless facility site development plan that show the type and height of the proposed WCF, proposed means of access, setbacks from the property lines, elevation drawing of the proposed WCF and any other structures and any other information deemed by the zoning administrator to be necessary to assess compliance with this ordinance.
 - (2) A cover letter that outlines what the applicant is proposing to do on-site.

- (3) Any cost associated with the review of the application by the county and/or its consultant shall be paid by the applicant at submittal.
 - (4) A structural analysis may be requested by the zoning administrator in order to complete a review of an application.
 - (5) The zoning administrator may request additional information if needed while reviewing an application for administrative approval. Failure to provide the requested information shall result in the denial of the application.
- (f) *Uses by special use permits:*
- (1) Applications for special use permits under this section shall be subject to the procedures and requirements for allowable uses under article I of this ordinance.
 - (2) In granting a special use permit, the planning commission may recommend and the board of supervisors may impose conditions to the extent the board concludes such conditions are necessary to minimize any adverse effect of the proposed WCF on adjoining properties.
 - (3) Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical shall be certified by a licensed professional engineer.
 - (4) The maximum height of any WCF shall be made a condition of approved special use permits. Lightning rods shall be exempt from the maximum height calculation.
- (g) *Special application requirements for special use permits:* In addition to any information required for applications pursuant to the Bedford County Zoning Ordinance, applicants for a special use permit for WCFs shall submit the following information:
- (1) A scaled site plan clearly indicating the location, type and height of the proposed WCF, on-site land uses, adjacent land uses (including when adjacent to other jurisdictions), master plan classification of the site, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed WCF and any other structures, topography, parking, and other information deemed by the zoning administrator to be necessary to assess compliance with this ordinance.
 - (2) Legal description of the parent tract and leased parcel (if applicable).
 - (3) The setback distance between the proposed WCF and the nearest residential unit and platted residential properties.
 - (4) The applicant shall also identify the type of construction of the existing WCF(s) and the owner/operator of the existing WCF(s), if known.
 - (5) A landscape plan showing specific landscape materials. The board of supervisors may waive this requirement if it deems appropriate upon applicant request with sufficient justification.
 - (6) Method of security fencing (no less than six (6) feet in height) with anti-climbing device, and finished color and, if applicable, the method of camouflage and illumination. The board of supervisors may waive this requirement if it deems appropriate upon applicant request.
 - (7) A description of compliance with all applicable federal, state or local laws.
 - (8) A statement by the applicant as to whether construction of the WCF will accommodate collocation of additional antennas.
 - (9) Identification of the entities providing the backhaul network for the WCF(s) described in the application and other cellular sites owned or operated by the applicant in the county.
 - (10) A description of the suitability of the use of existing WCFs, other structures or alternative technology not requiring the use of WCFs or structures to provide the services under consideration.

- (11) A description of the feasible location(s) of future WCFs within Bedford County based upon existing physical, engineering, technological, or geographical limitations in the event the proposed WCF is erected.
 - (12) A cost estimate for removal of the WCF and facilities from the site.
 - (13) A copy of the initial lease.
 - (14) A description, including mapping at an appropriate scale, of the search area and coverage objective.
 - (15) A map depicting all collocation candidates in search area, along with the RF analysis documentation as to their suitability.
 - (16) High quality photo simulations of the site and proposed WCF.
 - (17) TOWAIR Determination results for FAA registration.
- (h) *Additional standards for Class 1 wireless communication facilities in districts where permitted by right:*
- (1) WCF antenna support structures shall be constructed of wood in the R-1, R-2, R-3, R-4 and PRD zoning districts.
 - (2) The siting of any new antenna support structure associated with by right WCFs shall follow the application requirements listed in subsection 30-87-3(g). Such towers would be exempt from any requirements listed in section 30-19
- (i) *Additional standards in the AP, AR, AV and NC districts for Class 2 wireless communication facilities:*
- (1) WCFs shall be reviewed administratively if less than ten (10) feet above the surrounding tree line. WCFs that are sited in open areas would not meet the requirement of "stealth techniques" in subsection (i)(2) below, and would be subject to the special use permit approval process for WCFs.
 - (2) If the zoning administrator through administrative review determines the proposed WCF does not use stealth techniques to reduce the impact of the WCF on surrounding properties and view sheds, a special use permit shall be required.
 - (3) The siting of any new antenna support structure associated with by right WCFs shall follow the application requirements listed in subsection 30-87-3(g). Such towers would be exempt from any requirements listed in section 30-19
- (j) *Removal of abandoned WCFs:* Any WCF that is not operated for a continuous period of six (6) months shall be considered abandoned, and the owner of such WCF shall remove the same within ninety (90) days of receipt of notice from Bedford County notifying the owner of such abandonment. If there are two (2) or more users of a single WCF, then this provision shall not become effective until all users cease using the WCF.
- (k) *Nonconforming WCFs:*
- (1) WCFs that are constructed, and/or installed, in accordance with the provisions of this ordinance shall not be deemed to constitute the expansion of a nonconforming use or structure.
 - (2) Pre-existing WCFs shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height) shall be permitted on such pre-existing WCFs. New construction other than routine maintenance on pre-existing WCFs shall comply with the requirements of this ordinance.
 - (3) Notwithstanding subsection 30-87-3(j), bona fide nonconforming WCFs that are damaged or destroyed may be rebuilt without having to first obtain a special use permit. The type, height, and location of the WCFs on-site shall be of the same type and intensity as the original facility approval. Building permits to rebuild the facility shall comply with the then-applicable building codes and shall be obtained within one hundred eighty (180) days from the date the facility is

damaged or destroyed. If no permit is obtained or if said permit expires, the WCFs shall be deemed abandoned as specified in subsection 30-87-3(j).

(Ord. No. O0713-087, art. IV, 7-22-2013)